

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36926 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Dinesh Yadav @ Dinesh Prasad Son of Kapil Yadav @ Kapil
2. Lala Prasad
3. Baudha Yadav Both sons of Baleshwar Prasad
4. Vishnu Prasad @ Vishun Prasad Son of Late Rajendra Prasad All
resident of Village- Koshiyawa, P.S. Ekangarsarai, District- Nalanda
5. Sanjay Yadav @ Sanjay Pd. Son of Yadu Prasad resident of Village-
Gareriya Bigha, P.S. Ekangarsarai, District- Nalanda Petitioner/s
Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 14-09-2016 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

This application for anticipatory bail arises out of
Ekangarsari P.S. Case No. 77 of 2016, disclosing offences
under Sections 147,148,149,323,353,307,427,504 of the
Indian Penal Code and Section 3 of Prevention of Damages to
Public Property Act.

The petitioners are named in the First Information
Report and it is alleged that they attacked the police party
when they were taking the dead body of the deceased for
post mortem.

Learned senior counsel appearing on behalf of the

petitioners has submitted that though the petitioners are named in the First Information Report, the allegation in the First Information Report is omnibus and vague against 500 unknown persons. Learned senior counsel appears to be right in his submission that the allegations are omnibus and not specific against the petitioners. It has been stated in paragraph 3 of the application that the petitioners have no criminal antecedent.

Considering the above, this application is allowed. Let petitioners above-named in the event of their arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Hilsa, Nalanda in Ekangarsarai P.S. Case No. 77 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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