

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43948 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -TIYAR District- BHOJPUR

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1. Bhagelu Yadav, S/o Vishram Yadav
 2. Bablu Yadav, S/o Gorakh Yadav
 3. Rajesh Yadav S/o Shivmuni Yadav

All are resident of Village- Karkhiya, P.S.- Tiar, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Senior Advocate.
Ms. Meena Singh, Advocate.

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 06-10-2016

Heard learned counsel for the petitioners.

The petitioners seek pre-arrest bail in connection with Tiar
P.S. Case No. 21 of 2016 dated 23.05.2016 registered under Sections
147,148, 149, 308, 323, 325, 341, 504 and 506 of the Indian Penal
Code.

The allegation against the petitioners is general and
omnibus of assault along with 11 others.

Learned counsel for the petitioners submits that the
allegation against the petitioners is general and omnibus of assault. It
is submitted that the dispute is related to collection of money for
holding of a *Yagya* and it turned into a fight between two villages.
Learned counsel has produced copy of order dated 22.09.2016 passed

in Cr. Misc. No. 38712 of 2016 by which a co-ordinate Bench of this Court has granted anticipatory bail to seven co-accused persons including Dinesh Yadav @ Dinesh Singh, who is alleged to have inflicted iron rod blow on the head of the informant. Learned counsel further submits that the petitioners have no criminal history.

Learned A.P.P. has opposed the prayer; however, he is not in a position to controvert the submissions made by learned counsel for the petitioners.

Considering the facts and circumstances of the case and submissions of learned counsels for the parties, let the petitioners, named above, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhojpur at Ara in connection with Tiar P.S.Case No. 21 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further that:

- (a) One of the bailors shall be a close relative. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners.
- (b) The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and

conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds.

- (c) The petitioners shall cooperate in the trial and be present before the Court on each and every date. Failure to co-operate or appear on two consecutive dates, without any sufficient cause, shall lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J)

Sujit/-

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