

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41037 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -KOCH District- GAYA

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1. Jitendra Yadav Son of Nathun Yadav
 2. Dharmendra Yadav Son of Balindra Yadav
 3. Kundan Yadav Son of Jitendra Yadav
 4. Shankar Yadav Son of Balindra Yadav. All resident of Village- Murera Tola Jangali Bigha, P.S. Konch District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish, Advocate
For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-09-2016 Heard learned counsel for the petitioners, learned

counsel for the informant and learned Additional Public

Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Konch P.S. Case No. 57 of 2016, disclosing offences under
Sections 147, 149, 323, 307, 379 and 504 of the Indian Penal Code
and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that
for an occurrence, which had taken place on 14.03.2016, First
Information Report was registered on 07.04.2016, which casts
serious doubt on the veracity of the case of the prosecution. It has



also been submitted , referring to the order, passed by the learned Sessions Judge rejecting the application for anticipatory bail of these petitioners that there is no injury on record, though the informant placed in course of hearing of the said anticipatory bail before learned Sessions Judge, some documents showing that the informant had received certain injuries.

Learned counsel appearing on behalf of the informant has, on the other hand, submitted that after occurrence which took place on 14.03.2016, statement of injured was taken on 21.03.2016 by the Police in the hospital whereafter the information was sent to the Police Station for registration of the First Information Report. It also appears from the records that for the same occurrence which had taken place on 14.06.2016, First Information Report was registered by one of the accused Manindra Yadav on 14.03.2016 itself giving rise to Konch P.S. Case No. 41 of 2016.

Considering the facts and circumstances of the case, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to

the satisfaction of learned Sub Divisional Judicial Magistrate, Gaya in connection with Konch P.S. Case No. 57 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)

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