

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2185 of 2016

Arising Out of PS.Case No. -345 Year- 2014 Thana -SABOUR District- BHAGALPUR

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1. Subalak Yadav, Son of Bijnath Yadav,
2. Manoj Yadav, Son of Baijnath Yadav,
3. Lalan Yadav, Son of Sitaram Yadav,
All resident of village - Ali Nagar, Police Station - Sabour District -
Bhagalpur. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-01-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Sabour P.S. Case No. 345 of 2014 registered under
Sections 341, 323, 459, 307, 379, 504, 506 and 354 read with 34
of the Indian Penal Code.

It is contended that the entire prosecution story is
false and fabricated and no occurrence as alleged has ever taken
place. The ingredients of the offences alleged under Sections
307 and 354 IPC are not attracted and the allegation of

committing theft is ornamental in nature. It is further contended that similarly circumstanced co-accused Baidnath Yadav @ Baij Nath Yadav, Inder Yadav, Umesh Yadav and Bhola Yadav have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 29.07.2015 passed in Cr. Misc. No. 29653 of 2015.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Bhagalpur in connection with Sabour P.S. Case No. 345 of 2014 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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