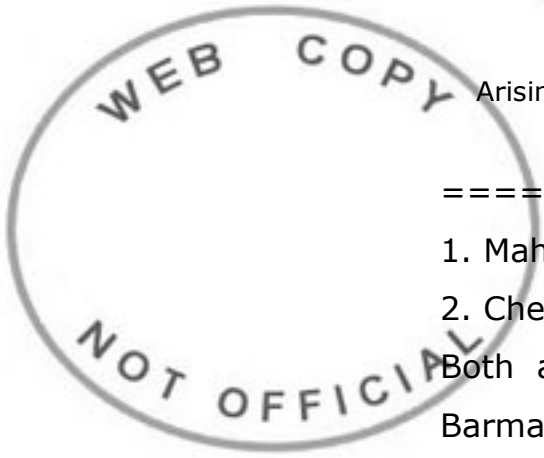




IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42887 of 2016

Arising Out of PS.Case No. -132 Year- 2009 Thana -JHAJHA District-
JAMUI

=====

1. Mahesh Yadav

2. Chetan Yadav

Both are the Son of Baldev Yadav, Resident of Village-
Barmasiya, Police Station-Jhajha, District-Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 21-10-2016 Heard the parties.

 This application, for grant of anticipatory bail,
arises out of Jhajha P.S. Case No. 132 of 2009, disclosing
offences under Sections 302/34 of the Indian Penal Code.

 Learned counsel for the petitioners has
submitted that the allegations, made in the First
Information Report, are apparently false, which have



been found to be so by the police on completion of investigation in its report submitted on 18.08.2013. He has submitted that despite the fact that the police did not find any substance in the accusation made in the First Information Report, learned court below has taken cognizance, differing with the police report. He has also submitted that in similar circumstance, co-accused, namely, Baldeo Yadav, has been granted the privilege of anticipatory bail by this Court *vide* order, dated 08.06.2015, passed in Cr. Misc. No. 17245 of 2015.

Considering the submission, as above, 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 Judicial Magistrate, Ist Class, Jamui**, in connection with **Jhajha P.S. Case No. 132 of 2009**, subject to the condition 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.)

Praveen-II/-c

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