

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38676 of 2016

Arising Out of PS.Case No. -66 Year- 2015 Thana -GHOSBARI District- PATNA

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1. Upendra Yadav @ Upendra Yada
2. Ram Pravesh Yadav Both sons of Late Triloki Yadav
3. Putushan Yadav Son of late Umesh Yadav
All Resident of Village: Isha Nagar, Police Station: Ghoshawari, District
Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Prem Ranjan Kumar, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 26-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 427, 384, 385, 307/34 of the Indian Penal
Code registered in connection with Ghoswari P.S. Case No. 66 of
2015.

3. It is submitted that the petitioners have been falsely
implicated and in any event the ingredients of the non-bailable
offences alleged are not made out against the petitioners. It is
submitted that no injury has been sustained by any person and no
properties have been destroyed. Petitioner nos. 2 and 3 claim
clean antecedents while the petitioner no. 1 is on bail in the only
other case in which he is accused.

4. Having regard to the entirety of the facts and
circumstances, in the event of the petitioners' arrest or surrender
before the court below within six weeks from the date of
communication of this order, let the above named petitioners be

released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri Deepak Kumar, learned Judicial Magistrate Ist Class, Barh, Patna in connection with Ghoswari P.S. Case No. 66 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions__

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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