

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7756 of 2016

Arising Out of PS.Case No. -42 Year- 2015 Thana -AANTI District- GAYA
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- 1. Nathun Yadav, son of Late Mukhlal Yadav,
- 2. Kapil Yadav, son of Mukhlal Yadav,
- 3. Rajdeo Yadav, son of Ramrup Yadav,
- 4. Musaffir Yadav @ Musafir Yadav, son of Late Chauthi Yadav.

All resident of Village-Adopur, P.S.-Anti, District-Gaya.

.... Petitioner/s

Versus

- 1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Adv.

For the Opposite Party/s: Mr. Jitendra Kumar Roy-1, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 31-03-2016 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

 This application, for grant of anticipatory bail,
arises out of Anti P.S. Case No.42 of 2015, disclosing
offences under Sections 147, 148, 149, 323, 241, 504,
379 and 307 of the Indian Penal Code.

 It is stated by learned counsel, appearing on

behalf of the petitioners, that petitioner Nos.1, 3 and 4 had surrendered and they have been released on regular bail, hence their application for grant of anticipatory bail has become infructuous.

This application to the extent it relates to petitioner Nos.1, 3 and 4, abovenamed, stands dismissed as having become infructuous.

So far as petitioner No.2 is concerned, it transpires from the First Information Report that occurrence had taken place out of petty dispute between the parties.

Considering the facts and circumstances and the fact that other similarly situated accused persons have been granted regular bail, this application is allowed. Let petitioner No.2, namely, Kapil Yadav, in the event of his arrest or surrender before the court below within six weeks, 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 **learned Additional Chief Judicial Magistrate-II, Gaya**, in connection with **Anti P.S. Case No.42 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that petitioner

No.2 shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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