

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36435 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -MADANPURA District- AURANGABAD

1. Manoj Yadav @ Manoj Kumar S/o Vijay Yadav
2. Vijay Yadav S/o Late Harihar Yadav,
Both are resident of Village- Laltenganj, P.S. - Madanpur, District-
Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance:

For the Petitioners : Mr. Rakesh Singh, Advocate

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-09-2016

Heard learned counsel for the petitioners and learned

APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 307, 379, 341, 323, 325, 504, 506 and 34 of the Indian Penal Code and Sections 3 and 4 of the Prevention of Witch Craft Practices Act registered in connection with Madanpur P.S. Case No. 70 of 2016.

3. It is submitted that the petitioner has been falsely implicated and in any event the injuries sustained by the informant's mother are simple in nature. The accusation of assault against the petitioner no.2 is general and omnibus in nature. The petitioners claim clean antecedents.

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 learned Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No. 70 of 2016, 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.

Chandran/BT

(Vikash Jain, J)

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