

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43106 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -KAMTAUL District- DARBHANGA

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1. Krishnadeo Yadav Son of Late Balram Yadav
2. Lalit Yadav Son of Debu Yadav Both are resident of Village- Dudhiya,
P.s.- Kamtaul, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 25-10-2016

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Kamtaul P.S. Case No. 49 of 2016, disclosing offences under Sections 341, 323, 324, 307, 504, 506,448,427,354A,379/34 of the Indian Penal Code.

Since the petitioner No.1 above named has criminal antecedent as is evident from the statement made in paragraph 3 of the application, I am not inclined to grant the privilege of anticipatory bail to petitioner no.1.

His application is rejected.

Petitioner No.1 above named is directed to surrender before the Court within six weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without

being prejudiced by rejection of present application for grant of anticipatory bail.

Learned counsel for the petitioners has submitted that in similar circumstance, another co-accused, namely, Karmbir Yadav and Amit Yadav have been granted anticipatory bail by this Court vide order dated 09.09.2016 passed in Cr. Misc. No. 36820 of 2016.

In view of the above, this application to the extent it relates to petitioner No.2 above named is allowed. Let petitioner No.2 above named in the event of his arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sri Shamim Raza, learned Judicial Magistrate, Ist Class, Darbhanga in Kamtaul P.S. Case No. 49 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner NO.2 above named 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 bonds shall be liable to be cancelled.

ArunKumar/-c

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(Chakradhari Sharan Singh, J)