

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5083 of 2016

Arising out of PS.Case No. -428 Year- 2014 Thana -MADHEPURA (Ghailarh) District-
MADHEPURA

- =====
1. Shailendra Prasad Yadav @ Shilendra Yadav, Son of Late Kusheshwar Yadav.
 2. Amrendra Yadav, son of Late Kusheshwar Yadav.
 3. Manish Kumar, son of Shailendra Yadav.
 4. Babloo Kumar, son of Shailendra Yadav.

All are residents of village- Belokhari, P.S. Madhepura
(Ghailarh), District – Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 29-03-2016

Heard the parties.

The petitioners apprehend their arrest in connection with Madhepura (Ghailarh) P.S. Case No.428 of 2014 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners with reference to the FIR placed at Annexure-1 has submitted that whereas the injuries allegedly caused by the petitioner nos.1 and 2 are simple in nature, the allegation made against the petitioner nos.3 and 4 are ornamental to attach seriousness to the allegation.

Having heard learned counsel for the parties and

considering the nature of allegation I am not persuaded to grant anticipatory bail to the petitioner nos.1 and 2, namely, Shailendra Prasad Yadav @ Shailendra Yadav and Amrendra Yadav respectively who should surrender and pray for regular bail which should be considered and disposed of by the court below on its own merit without being prejudiced by the order passed in this proceedings.

In so far as the petitioner nos.3 and 4 are concerned, in consideration of the nature of allegation let the petitioner nos.3 and 4, namely, Manish Kumar and Babloo Kumar respectively in the event of their arrest or surrender within four weeks from today be released on bail upon each of them furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sri K.K. Kishor, Judicial Magistrate 1st Class, Madhepura and/or the court concerned in connection with Madhepura (Ghailarh) P.S. Case No.428 of 2014 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This application is allowed in part.

(Jyoti Saran, J)

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