

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11998 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -LAXMIPUR District- JAMUI

- =====
1. Batu Yadav @ Bitu Yadav son of Bishun Yadav
 2. Baban Yadav son of Suro Yadav @ Suresh Yadav
 3. Anil Kumar alias Anil Yadav Son of Raju Yadav All resident of Village- Anandpur, P.S.- Laxmipur, District- Jamui.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Ram Shankar Das(App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 19-04-2016 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 341, 376, 511, 379 and 34 of the Indian Penal Code and Sections 3(i) (x) of the S.C/S.T. Act registered in connection with Laxmipur P.S. Case No. 03 of 2016.

3. It is submitted that the petitioners have been falsely implicated and there is considerable delay in institution of the FIR on 05.01.2016 for the alleged occurrence of 25.12.2015. Even according to the averments the ingredients of offence under Section 376 has not been made out nor under S.C/S.T. Act, the occurrence being not in public view.

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 Amrendra Kumar, learned J.M. Ist Class, Jamui, in connection with Laxmipur P.S. Case No. 03 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) 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.

(ii) 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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