

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42200 of 2016

Arising Out of PS.Case No. -140 Year- 2016 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Jitendra Yadav @ Jitendra Kumar S/o Chandrika Prasad
2. Vijay Yadav S/o Chandrika Prasad
3. Chandrika Yadav S/o Late Ram Babu Yadav All are residents of Village
- Bhat Bigha, P.S. - Hilsa, District - Nalanda.

..... Petitioner/s

Versus

1. The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Niwas Prasad
For the Opposite Party/s : Mr. Dr. Indivar Kumari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 04-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of
Hilsa P. S. Case No. 140 of 2016, disclosing offences under
Sections 147,148,149,447,324,323,307,380,504 of the Indian
Penal Code and section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that
even as per the allegation made in the First Information Report,
assault was made by the *butt* of the pistol. According to him,
though there is allegation against co-accused Satan Yadav, who is
said to have opened fire, there is no allegation that any one
received any fire arm injury. He submits that there are 13 persons

named in the First Information Report but there is no specific allegation against these petitioners of any specific overt act.

Considering the above, this application is allowed. Let the petitioners above named, in the event of their arrest/surrender within four weeks from today in the Court below shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M -II, Hilsa, Nalanda, in connection with Hilsa P.S. Case No. 140 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 petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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