

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4803 of 2017

Arising Out of PS.Case No. -226 Year- 2015 Thana -KOCH District- GAYA

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1. Kedar Yadav, Son of Late Teja Yadav.
2. Raju Yadav, Son of Kedar Yadav.
3. Sanjay Yadav, Son of Singheshwar Yadav.
4. Shakal Yadav, @ Sakaldeo Yadav, Son of Jineshi Yadav.
5. Pappu Yadav, Son of Shakal Yadav, All are resident of Village- kera, P.S.- Konch District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 Heard the parties.

This application has been filed in connection with Konch P.S.Case No.226 of 2015 for the offence under Sections 147, 148, 149, 341, 323, 506 and 17(C) of the Indian Penal Code and 27 of the Arms Act.

It is submitted on behalf of the petitioners that the petitioners have also lodged case against the informant and others as the persons from the side of the petitioners have also received injuries. It is further submitted that though there is allegation against the petitioner no.1 that he is order-giver, petitioner no.3 fired from the Rifle and Gun but there is no gun shot injury over



any of the injured and so far allegation against the petitioner Nos. 2, 4 and 5 are concerned, there is allegation of assault by '*Lathi*' to the injured person but all the injuries were found to be simple in nature, which will appear from Annexure-3 series and lastly it has been submitted that the co-accused, having similar allegation, has already been granted bail by this Hon'ble Court, vide order dated 30.09.2016 passed in Cr. Misc. No.42070 of 2016.

Heard learned A.P.P. also.

Having heard both sides. In view of the facts as stated above as well as the fact that the other co-accused has already been granted bail by this Court, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of J.M. First Class, Gaya in connection with Konch P.S.Case No.226 of 2015, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the



case and make themselves available as and when required by the Police and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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