

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11849 of 2017

Arising Out of PS.Case No. -238 Year- 2016 Thana -SURYAGARHA District- LAKHISARAI

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1. Murari Yadav
2. Ajit Yadav, Both S/o Jugo Yadav, Resident of Village- Alinagar English,
P.S. Surajgarha, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajit Kumar

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017 The petitioners apprehend their arrest in connection with

Surajgarha P.S. Case No. 238 of 2016, registered for the offences

punishable under Sections 341, 342, 323, 385, 387, 307/34 of the

Indian Penal Code.

Allegedly, the petitioners and other co-accused tied the

hands and mouth of the informant and they were saying to take

away the informant at Kajra Hill to demand ransom of Rs.

2,00,000/- from the father of the informant and as soon as the

tempo reached near Alinagar hotel, these petitioners were

watching with illegal weapon and when the informant tried to flee

away then these petitioners started assaulting him with iron rod

and Ajit Yadav pointed a pistol and other co-accused Karan

Kumar assaulted with sharp edged weapon on his head causing



bleeding.

Submission is of false implication and that no injury of sharp edged weapon has been found on the person of the informant, all the injuries were caused by hard and blunt substance and simple in nature, during investigation independent witnesses vide para 22, 23 and 24 of the case diary have stated that there was dispute regarding fare of the tempo and for that the occurrence has taken place. There is case and counter case, co-accused Karan Kumar has also lodged case and, as such, the petitioners deserve sympathetic consideration of this Court. Moreover, other co-accused persons having similar allegation have already been granted the privilege of anticipatory bail by this Court vide order dated 16.03.2017 passed in Criminal Miscellaneous No. 8013 of 2017.

The learned A.P.P. fairly submits that the aforesaid witnesses have not supported the prosecution version.

Having heard both sides, in view of the facts and circumstances of the case and also in view of the fact that other co-accused persons having similar allegation have already been granted anticipatory bail by this court, let petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on



furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai in connection with Surajgarha P.S. Case No. 238 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (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 shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part two appear before the police on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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