

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35409 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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Kamleshwari Yadav, S/o Late Saryug Yadav, R/v Gauravgarh, Kanp East,
P.S.- Sourbazar, Distt- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Pranav Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 16-08-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Sourbazar P.S. Case No. 138 of 2017 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 307, 385, 427, 504 and 506 of the I.P.C and section 27 of the Arms Act.

The petitioner being member of unlawful assembly along with other FIR named accused persons and 5-7 unknown went at the land of the informant, Mukesh Yadav demanded ransom and Rajen Yadav assaulted the younger brother of the informant with arrow which hit in the middle of his stomach causing bleeding and Gajen Yadav damaged the wheat crops with



tractor.

Submission is of false implication and that against the petitioner there is no allegation for committing any overtact, in this case other co-accused, namely, Chandeshwari Prasad Yadav @ Chandeshwari Yadav and Chandra Kishore Yadav have already been allowed pre-arrest bail vide Cr. Misc. No. 36425 of 2017 by another co-ordinate Bench of this Court and the case of the petitioner is on the better footing and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that other two co-accused have been allowed pre-arrest bail.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Saharsa in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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