

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30129 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -ATRI District- GAYA

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1. RAMESHWAR YADAV @ RAMESHAR PRASAD, son of late Mangar Yadav,
 2. Sunil Yadav @ Sunil Prasad, son of Rameshwar Yadav,
 3. Santu Yadav, son of Suresh Yadav,
 4. Ravindra Yadav @ Rabindra Prasad, son of late Bhuna Yadav,
 5. Birendra Yadav @ Virendra Prasad, son of Jagdish Yadav, all are resident of Village- Kasiyadih, P.S.- Atri, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Opposite Party/s : Mr. Anant Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 26-07-2017

Learned counsel for the petitioners seeks permission to withdraw the application in respect of petitioner No.2, Sunil Yadav @ Sunil Prasad, who has been arrested during the pendency of this application.

In view of such, this application is dismissed as withdrawn in so far as it relates to petitioner No.2.

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Atri P.S. Case No.18 of 2017 instituted for the offence under Section(s) 147, 149, 341, 323, 324, 325, 307 Indian Penal Code.

As per written report, for plucking chilies in the



field free fight took place between both sides in which injuries have been sustained from both sides. It has further been submitted that counter case has been filed vide Atri P.S. Case No.19 of 2017.

Case diary has been received, wherein, injuries have been mentioned from para 13 to 20 of the case diary. The doctor has found one fracture injury on the right hand of Amaldev Yadav. Besides this, all other injuries found on the person of the injured were simple in nature.

In the facts and circumstances of the case, prayer of the petitioners except petitioner No.2 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner Nos.1 and 3 to 5, named above, within six weeks from today in connection with Atri P.S. Case No.18 of 2017, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the ACJM, Sherghaty, Gaya, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two



consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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