

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30753 of 2017

Arising Out of PS.Case No. -34 Year- 2012 Thana -KHUTAUNA District- MADHUBANI

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1. Ram Lakhan Yadav, Son of Late Jugal Yadav.
 2. Rameshwar Yadav, Son of Awadh Lal Yadav.
 3. Jitendra Yadav @ Jitan Yadav, Son of Thakai Yadav.
 4. Shambhu Yadav, Son of Thakai Yadav.
 5. Ram Bharosh Yadav @ Ram Bharoshi Yadav @ Bharsohi Yadav, Son of Ram Lakhan Yadav.
 6. Rajendra Yadav @ Rajendra Kumar Yadav, Son of Kapal Yadav,
- All are resident of Village Ekdara, P.S. Khutauna, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate.
For the Opposite Party/s : Mr. Rajkishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sessions Trial No. 694 of 2012/368 of 2013 arising out of Khutauna P.S. Case No. 34 of 2012, G.R. No. 750 of 2012 instituted for the offence under Sections 147, 148, 149, 341, 323, 448, 307, 302, 379 of the Indian Penal Code and Section 27 of the Arms Act.

From the First Information Report it appears that although petitioners are named in the First Information Report but there is no specific overt act against them.

It has been submitted on behalf of the petitioners that



they were not sent up for trial. They have been summoned to face trial under Section 319 Cr. P.C. It has further been submitted that other co-accused persons have already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 7.7.2017 passed in Cr. Misc. 25097 of 2017

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Sessions Trial No. 694 of 2012/368 of 2013 arising out of Khutauna P.S. Case No. 34 of 2012, G.R. No. 750 of 2012, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Madhubani, Distt. Madhubani, 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.

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(Sanjay Priya, J)

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