

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25097 of 2017

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

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1. Ratneshwar Yadav, son of Late Munshi Lal Yadav
2. Jhari Lal Yadav, son of Late Dhordhai Yadav
Both resident of village Mahthaur, Police Station Phulparas, District
Madhubani

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 07-07-2017 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor representing the State
of Bihar.

This application, for grant of anticipatory bail,
arises out of Khatauna Police Station Case No. 34 of 2012,
disclosing offences under Sections 147, 148, 149, 341, 323,
448, 307, 302, 307 of the Indian Penal Code and Section
27 of the Arms Act.

It is submitted on behalf of the petitioners that
the police, upon completion of investigation, had submitted
final form, chargesheeting other accused persons, but so
far as these petitioners are concerned, they were not sent
up for trial. These petitioners have been summoned under
Section 319 of the Code of Criminal Procedure, 1973 and,
therefore, they apprehend their arrest.

Considering the fact that the petitioners have



been summoned under Section 319 of the Code of Criminal Procedure, 1973, and there is no allegation against them of making any attempt to tamper with the evident, this application for anticipatory bail is allowed.

Let the petitioners, namely, Ratneshwar Yadav and Jhari Lal Yadav, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds 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, in connection with Sessions Trial No. 694 of 2012/368 of 2013 (Khatauna Police Station Case No. 34 of 2012), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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