

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34593 of 2017

Arising Out of PS.Case No. -65 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

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1. Sudarshan Yadav, Son of Late Basant Yadav, R/o Village- Suharsa, P.S.- Bijaipur, District- Gopalganj,
2. Dharmendra Yadav @ Dharmendra Kumar Yadav,
3. Upendra Yadav @ Upendra @ Upendra Kumar Yadav,
4. Rajesh Yadav @ Brajesh Kumar Yadav, Petitioner No.2,3 and 4 All are Sons of Sudarshan Yadav, R/o Village- Suharsa, P.S.- Bijaipur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bijaipur P.S. Case No. 65 of 2017 instituted for the offence under Section-307 & other minor Sections of the Indian Penal Code.

It has been submitted that there is case and counter case between the parties. An altercation took place on account of land dispute. The wife of petitioner No. 1 has filed VijayPur P.S. Case No. 66 of 2017 against the informant and his family members.

In the written report, there is allegation that the petitioners and other co-accused assaulted the informant and his other family members by sharp cutting weapon.

The learned Sessions Judge has mentioned in the impugned



order that the injury report shows that altogether six injuries were found on the persons of injured and the doctor opined the injuries to be simple in nature caused by hard and blunt substance and some of them as grievous.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of 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 in connection with Bijaipur P.S. Case No. 65 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gopalganj subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (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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