

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47998 of 2017

Arising Out of PS.Case No. -153 Year- 2017 Thana -CHAUSA District- MADHEPURA

- =====
1. Binod Yadav, son of Brahmdeo Yadav,
 2. Manoj Yadav, son of Brahmdeo Yadav, both are resident of village-Fulaut, P.S.- Chausa, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Smt. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 17-10-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Chousa (Fulout) P.S. Case No.153 of 2017** instituted for the offence under Section(s) 144, 188, 353, 120-B/34 Indian Penal Code.

Counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners.

In the written report, it is alleged that when the Informant-Circle Officer went to remove encroachment, this petitioner along with 100 persons created nuisance and got the work stopped.

It has been submitted that similarly situated co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 19.08.2017 passed in Cr.



Misc. No.37005 of 2017.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Chousa (Fulout) P.S. Case No.153 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 **Sub-Divisional Judicial Magistrate, Uda Kishunganj, Madhepura**, 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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