

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40241 of 2017

Arising Out of PS.Case No. -39 Year- 2015 Thana -RAJAUN District- BANKA

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1. Kuloo Yadav @ Kuldip Yadav, Son of Late Jagdish Yadav,
2. Laloo Yadav, son of Naresh Yadav,
3. Naveen Yadav, son of Naresh Yadav,
4. Bahiro Yadav, son of Naresh Yadav,
5. Biranchi Yadav @ Anjani Yadav, son of Late Jagdish Yadav,
6. Sukhari Yadav, son of Ram Yadav,
7. Pappu Yadav @ Pappu Kumar, son of Ram Yadav,
8. Dukhan Yadav, son of Ram Yadav,
9. Ashresh Sharma @ Ashresh Tanti, son of Tarai Sharma, All are resident of Village- Bakhadda, P.S.- Rajoun, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioners. None appears for the State.

The petitioners apprehend arrest in Rajaun P.S. Case No. 39 of 2015 instituted for the offence under Section-307 & other minor Sections of the Indian Penal Code.

As per written report, there is specific allegation against petitioner No. 1 of assaulting the informant on his head with Khanti.

The learned Sessions Judge has mentioned in the impugned order that two lacerated wounds on mid scalp and one bruise over left arm was found on the person of the informant. The doctor has opined



the injuries to be simple in nature.

Since, there is specific allegation against petitioner No. 1 of assaulting the informant, this court is not inclined to grant anticipatory bail to the petitioner No. 1. Accordingly, prayer for anticipatory bail of petitioner No. 1 is rejected.

The petitioner No. 1 is directed to surrender in the court below and seek regular bail, which will be considered on its own merit without being prejudiced by this order.

So far as petitioner Nos. 2 to 9 are concerned; there is general and omnibus allegation against them.

In such circumstances, prayer for anticipatory bail of petitioner Nos. 2 to 9 is allowed and it is ordered that the petitioner Nos. 2 to 9 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 in Rajaun P.S. Case No. 39 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Banka subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner Nos. 2 to 9 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 petitioner



Nos. 2 to 9 and (3) if petitioner Nos. 2 to 9 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 petitioner Nos. 2 to 9.

(Sanjay Priya, J)

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