

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36935 of 2017**

Arising Out of PS.Case No. -112 Year- 2016 Thana -KUMARGHAND District- MADHEPURA  
=====

1. Surendra Yadav, S/o Late Siya Ram Yadav  
2. Nitu Yadav @ Nitu Kumar @ Ajeet Prasad, S/o Surendra Yadav Both  
are Resident of Village - Jamuaha, P.S.-Kumarkhand (O.P.-Belari), District-  
Madhepura.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Bam Bahadur Jha

For the Opposite Party/s : Mr. Dr. Rabindra Kumar  
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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      10-08-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kumarkhand P.S.  
(Belari O.P.) Case No. 112 of 2016 instituted for the offence under  
Sections-379, 411 & other minor Sections of the Indian Penal Code.

It has been submitted that police after investigation, filed  
final form against petitioner No. 1 showing him innocent and he  
submitted charge sheet against the petitioner No. 2 for the offence u/S  
341, 323, 379, 411, 504 of the Indian Penal Code. Thereafter, on the  
basis of Protest Petition, cognizance has been taken against the  
petitioner No. 1 also including other accused as mentioned in the  
written report.

From perusal of written report, it appears that there is  
general and omnibus allegation against the petitioners.



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 Kumarkhand P.S. (Belari O.P.) Case No. 112 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhepura 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)**

A.K.V./-

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