

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40223 of 2017

Arising Out of PS.Case No. -387 Year- 2015 Thana -GAYA MUFFSIL District- GAYA

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1. Sunil Kumar, Son of Babu Lal Yadav,
2. Mahendra Yadav @ Mahendra Prasad, Son of Yugal Kishore Yadav,
3. Kamlesh Mehta @ Kamlesh Kumar, Son of Jay Ram Mehta,
4. Dhanesh Yadav, Son of Indradeo Yadav,
5. Nitish Kumar, Son of Naresh Mistry,
6. Sonu Kumar, Son of Santosh Sharma,
7. Om Prakash Giri, Son of Jai Nath Giri,
8. Tuntun Mistry @ Tuntun Sharma, Son of Indradeo Mistry,
9. Binay Yadav, Son of Babu Ram Yadav,
10. Chandan Kumar, Son of Narayan Mistry, All resident of Village-
Sohepur, P.S.- Muffasil, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-08-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Gaya Muffasil P.S. Case No. 387 of 2015 instituted for the offence under Sections-354, 307 & other minor Sections of the Indian Penal Code.

It is alleged in the written report that police received information that there was tense situation between people of two villagers and on this information, the police party arrived and tried to pacify the matter but the mob became more aggressive and started pelting stones and brick bating upon the police party as a result of which, some police received light injuries. It is alleged that he saw



these petitioners and other accused persons in the dragon light.

In this manner, there is general and omnibus allegation against these petitioners. It has been submitted that other co-accused persons with similar allegation have been allowed anticipatory bail by a co-ordinate bench of this court vide order dated 31-03-2016 passed in Cr. Misc. No. 13728 of 2016.

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 Gaya Muffasil P.S. Case No. 387 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Gaya 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) 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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