

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57018 of 2017

Arising Out of PS.Case No. -89 Year- 2017 Thana -JANKINAGAR District- PURNIA

1. Rajo Yadav, Son of Late Sita Ram Yadav,
2. Shibo Yadav, Son of Late Sita Ram Yadav,
3. Anita Devi, Wife of Rajo Yadav, All resident of Village- Chandpur Bhangha, P.S.- Janki Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kishore Pd, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017 Heard learned counsel for the petitioners and leaned Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Jankinagar P.S.Case No. 89 of 2017 registered for offences punishable under Sections 341, 323, 324, 307, 379, 354, 504 and 506 of the Indian Penal Code.

As per written report it appears that all the F.I.R. named accused persons assaulted the informant and his son with lathi. It is further alleged that accused person Rupesh Yadav also assaulted the daughter-in-law of the informant and snatched golden chain from her neck.

It has been submitted by the learned counsel for the petitioners that the petitioners have no criminal history. There is no legal evidence against the petitioners to connect them with the



alleged offence. They have been falsely implicated in this case due to ulterior motive of the informant.

Learned Additional Public Prosecutor opposes the prayer of bail.

In the facts and circumstances of the case, the prayer of Anticipatory bail of petitioners are allowed and in the event of their arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each in connection with Janki Nagar P.S. Case No. 89 of 2017 to the satisfaction of Shri Dibya Prakash, learned Judicial Magistrate 1st class, Purnea, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other 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 petitioner 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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