

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57054 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -KHAIRA District- JAMUI

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1. Shambhu Yadav, S/o Bhasho Yadav,
2. Shankar Yadav S/o Parmeshwar Yadav,
3. Tikan Yadav, S/o Nago Yadav,
4. Kapil Yadav @ Kapil Deo Yadav, S/o Bhuna Yadav,
5. Yogi Yadav @ Yogendra Yadav, S/o Bhuna Yadav,
6. Amin Yadav, S/o Bodhan Yadav,
7. Chhotu @ Dayanand Yadav @ Dayanand Kumar Yadav, S/o Late Prayag yadav,

All are R/o Village- Vallopur, P.S.- Khaira, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate.

For the Opposite Party/s : Mr. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 05-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Khaira P.S.**

Case No. 99 of 2017 instituted for the offence under Sections 147, 148, 149, 341, 323, 307, 332, 333, 353, 427, 504, 337 and 338 of the Indian Penal Code.

In the written report it is alleged that informant reached at the accident site which is pitch road near Middle School, Nariyana, after receiving information that one pick-up van coming from the side of Sono has dashed with the barrier, in



which passengers became badly injured. On seeing the police party, villagers became violent and started throwing bricks and stone on the police party and assaulted them with lathi, Fatta, rod etc. due to which some police official as named in the written report sustained injuries. The violent mob also damaged the vehicle of the Superintendent of Police. The police arrested ten persons on the spot.

As such, there is general and omnibus allegation against this petitioner.

It has been submitted that other co-accused persons with similar allegations have already been granted anticipatory bail by this Court vide order dated 23.11.2017 passed in Cr. Misc. 55864 of 2017.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Khaira P.S. Case No. 99 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Jamui**, 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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