

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7840 of 2017

Arising Out of PS.Case No. -21 Year- 2012 Thana -SALAIYA District- AURANGABAD

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1. Binod Yadav,
2. Dinesh Yadav, Both Sons of Mukhdeo Yadav, Both resident of village -
Jogari Tola, Ratan Bigha, Police Station - Salaiya, District - Aurangabad

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar with
Mr. Tej Narayan Singh, Advocates

For the Opposite Party/s : Smt. Gulnar Begam, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-03-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Salaiya Town P.S.Case No. 21 of 2012 registered for the offences punishable under Sections 341, 323, 504 and 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that earlier final form was submitted against the petitioners finding case not true against them. However, learned Magistrate differing with the opinion of the I.O. has taken cognizance and allegation against the accused persons, including the petitioners is of assaulting the deceased and other co-accused have been granted bail by this Court in Cr.Misc.No.33249 of 2012 and in Cr.Misc.No. 40623 of 2012, vide orders dated 4.10.2012 and 22.11.2012 respectively, which is evident from Annexure-2 Series and petitioners are in custody for more than two months.

Heard learned APP also.

Having heard both sides and in view of the fact that



earlier final form was submitted finding case not true against the petitioners but learned Magistrate has taken cognizance and co-accused having been granted bail, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Salaiya P.S.Case No. 21 of 2012, subject to the conditions that :-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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