

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12104 of 2017

Arising Out of PS.Case No. -397 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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1. JICHCHO YADAV @ JICHCHU YADAV, son of Late Vimal Yadav,
2. Binay Yadav, son of Jichcho Yadav,
3. Manoj Yadav, son of Jichcho Yadav, resident of Village- Simariya, P.S.-
Kahalgaon, Distt- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-03-2017 The petitioners are apprehending their arrest in connection with Kahalgaon P.S. Case No. 397 of 2016, registered for offences punishable under Sections 341, 323, 302 and 504/34 of Indian Penal Code.

It has been submitted on behalf of the petitioners that a scuffle took place between the parties with respect to construction of hut on Government land. However, the main allegation of assault on the head of the deceased has been attributed to other co-accused person of this case and petitioners have nothing to do with the death of the deceased.

Learned counsel for the State also could not controvert the above fact.

Having heard both sides, in view of the facts and circumstances of the case and also in view of submission of learned counsel for the petitioner, which has not been controverted



by learned A.P.P., let petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Bhagalpur in connection with Kahalgaon P.S. Case No. 397 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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