

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18784 of 2017**

Arising Out of PS.Case No. -6 Year- 2017 Thana -AMDABAD District- KATIHAR

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1. Jagdish Yadav, son of Late Bhagwan Yadav,
  2. Ashok Yadav, son of Jagdish Yadav,
  3. Shiv Pujan Yadav, son of Jagdish Yadav,
  4. Sanjay Yadav, son of Jagdish Yadav, All residents of Village- Baharsal Govindpur, Police Station- Amdabad, District- Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Ashok Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      08-05-2017      Heard the parties.

The petitioners are apprehending their arrest in connection with Amdabad P.S.Case No.6 of 2017, registered for offences punishable under Section 302/34 of the Indian Penal Code.

The allegation against the petitioners and other persons is about assaulting the deceased causing his death, however, the learned counsel for the petitioners has submitted that there is a land dispute arising due to standing tree, which has been cut by the informant. It is further submitted that there is general and omnibus allegation against the petitioners and the specific allegation is against one co-accused person and the post mortem report also shows that there is only one injury over person of the deceased.

Heard learned A.P.P. and the learned counsel for the



informant. They have opposed the prayer for bail.

Having heard both sides and in view of the fact there is general and omnibus allegation against the petitioner and further only one injury has been found over the person of the deceased, as such, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Sri B.K.Choudhary, J.M. 1<sup>st</sup> Class, Katihar, in connection with Amdabad P.S.Case No.6 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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