

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22959 of 2017

Arising Out of PS.Case No. -102 Year- 2016 Thana -JHAJHA District- JAMUI

- =====
1. Shyamdeo Yadav, S/o Late Bihari Yadav, resident of Village- Sewa Nichli Tola, P.S.- Gidhaur, District- Jamui.
 2. Jairam Yadav, son of late Firangi Yadav, resident of Village- Kuvri, P.S.- Jhajha, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sourendra Pandey, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 06-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Jhajha P.S. Case No. 102 of 2016 instituted for the offence under Sections 341, 323, 409, 353, 224 and 225/34 of the Indian Penal Code and Section 52(A) of Indian Forest Act (Bihar Amendment, 1989), 1927.

The counsel for the petitioner has submitted that petitioner is not the owner of the tractor. It has further been submitted that in the seizure list even the registration of tractor has not been mentioned.

It is alleged in the written report that informant apprehended one tractor loaded with stone chips. The petitioner No. 1 who was the tractor owner and petitioner No. 2 along with ten other accused persons arrived and forcibly took possession of the tractor. The seizure list is enclosed with the written report wherein no registration



number of the tractor has been mentioned.

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 Jhajha P.S. Case No. 102 of 2016, 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 Sub Divisional 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.

S.Ali/-

(Sanjay Priya, J)

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