

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38611 of 2017

Arising Out of PS.Case No. -282 Year- 2013 Thana -KONCH District- GAYA

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1. Arbind Yadav, Son of Harihar Yadav. resident of Village- Khaira, P.S.- Konch, District- Gaya.
 2. Sitaram Prasad, son of Mohan Yadav, resident of Village- Pandey Pokhar, P.S.- Guraru, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-08-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Konch P.S. Case No. 282 of 2013 instituted for the offence under Sections 326, 307, 120(B) of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of Explosive Substance Act.

It has been submitted that petitioners were not charge sheeted and no cognizance was taken. The charge sheet has been submitted only against co-accused Manoj Yadav. During trial the petitioner has been summoned under Section 319 Cr. P.C.

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 Konch P.S. Case No. 282 of 2013, 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, Gaya, 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.

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(Sanjay Priya, J)

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