

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51752 of 2017

Arising Out of PS.Case No. -418 Year- 2016 Thana -AMARPUR District- BANKA

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1. Bhola Yadav, S/o Late Lothu Yadav,
2. Yugal Yadav, S/o Late Hari Yadav,
3. Rabin Yadav, S/o Yugal Yadav,
4. Trigun Yadav, S/o Late Grahani Yadav,
5. Shankar Yadav, S/o Late Lothu Yadav, All R/o of Vill- Dhorari, PS-Fullidumar, Dist- Banka.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Amarpur (Fullidumar) P.S. Case No.418 of 2016 instituted for the offence under Sections 302, 120(B), 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that there is no eye witness in the case. It is alleged in the written report that the husband of the informant was ploughing the land on the date of occurrence. All the accused persons along with the petitioners have seen her husband going to the land. She came to the land with breakfast and found the petitioners were running away from there. She proceeded and found her husband lying dead on the ground. The case diary has been received.



Learned A.P.P. has submitted that there is no eye witness in the case. Mere suspicion has been raised against the petitioners.

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, namely above, within six weeks from today, in connection with Amarpur (Fulidumar) P.S. Case No.418 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 C.J.M., Banka, subject to the 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.

(Sanjay Priya, J)

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