

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52020 of 2017

Arising Out of PS.Case No. -239 Year- 2017 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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1. Satyendra Yadav, Son of Late Krishna Yadav,
2. Bachchan Yadav, Son of Late Krishna Yadav,
3. Jitendra Yadav, Son of Bachchan Yadav, All resident of Village- Balmat
Bigha, Police Station- Islampur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017 Learned counsel for the petitioners seeks permission to
withdraw the bail petition of petitioner no. 2, Bachchan Yadav, as he
has already been arrested.

Accordingly, the bail petition of petitioner no. 2 is
dismissed as withdrawn.

Heard learned counsel for the petitioners as well as the
State.

Petitioner nos. 1 and 3 apprehend their arrest in
Islampur P.S. Case No. 239/2017 instituted for the offences under
Sections 341, 342, 323, 504, 379/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that
this case has been lodged on account of land dispute. Allegation



against the petitioners is that they resorted to firing, but no firearm injury is found on the person of the informant.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of petitioner nos. 1 and 3 is allowed. In the event of surrender/arrest of the petitioner nos. 1 and 3, named above, within six weeks from today, in connection with Islampur P.S. Case No. 239/2017, 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 the learned Incharge Additional Chief Judicial Magistrate, Hilsa, Nalanda, subject to the conditions as laid down under Section 438(2) of the 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.

(Sanjay Priya, J.)

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