

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12489 of 2017

Arising Out of PS.Case No. -130 Year- 2016 Thana -SONBERSA District- SAHARSA

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1. Binod Yadav ,
2. Pappu Yadav, Both Sons of Dewendra Yadav , Both are Residing at
Village- Rakhauta, P.S.- Sonbarsa Raj, District- Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-03-2017 Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Sonbarsa Raj P.S. Case No. 130 of 2016 registered for the offences punishable under Sections 147, 148, 149, 341, 447, 323, 325, 379, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioners that there is case and counter case between the parties and the case of petitioners' side is earlier to the present case in which is allegation of assault and the injuries are simple in nature, which is evident from Annexure-3. It has further been submitted that so far antecedent of the petitioners is concerned, learned counsel for the petitioners has filed a supplementary affidavit stating that in other cases either the petitioners have been acquitted or final form has been submitted finding case not true against them. It has also been submitted that petitioner No.2 is ward member and due to election



dispute they have falsely been implicated in this case.

Heard learned APP also.

Having heard both sides and in view of the submission as stated above, let the petitioners, named above, in the event of their arrest or surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Sonbarsa Raj P.S. Case No. 130 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that petitioners shall co-operate in the investigation and make themselves available before the police as and when required and in the event of failure on their part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of their bail bonds and further petitioners will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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