

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26412 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

- =====
1. Yashwant Kumar Son of - Mahendra Yadav.
 2. Awadhesh Yadav @ Abhiranjan Kumar Awadhesh, Son of- Late Rajendra Yadav. null
 3. Anmol Yadav, Son of- Late Sukhdeo Yadav.
All Resident of Village- Kanp West
 4. Pradeep Yadav @ Pradeep Kumar, Son of- Bino Yadav, resident of Village- Musaharniya Tola.
 5. Pankaj Yadav @ Pankaj Kumar, Son of- Late Kailash Yadav, Resident of Village- Sheetal Patti, P.S.- Sour Bazar, District- Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party : Mr. N.K. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 17-08-2017 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Sour Bazar P.S. Case No.02 of 2017, registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code and under Section 27 of the Arms Act.

As per the F.I.R., allegation has been made the petitioner no.1 and his friends came to the house of the informant and picked up the dispute and fired upon him, but he saved his life by laying down his body. Thereafter, the accused persons



have put the gun on the head of the informant and snatched Rs.9000/- and assaulted by means of Carbine.

I have perused the case diary. On perusal of paragraph no.58 of the case diary, it appears that the allegation against petitioner nos. 2 to 5 is that they have assaulted the informant by fists and slap.

Looking to the aforesaid facts, let the above-named petitioner nos. 2, 3, 4 and 5, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar P.S. Case No.02 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the bail of petitioner no.1 is concerned, the same is rejected. If the petitioner surrenders before the Court below within three weeks from today and prays for bail, the court below will pass the order in accordance with law without being influenced by the order of this Court.

(Shivaji Pandey, J)

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