

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5106 of 2017

Arising Out of PS.Case No. -106 Year- 2015 Thana -SHAMBHUGANJ District- BANKA

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1. Fulori @ Pratap Yadav @ Pratap @ Fulouri Yadav, Son of Bindeshwari Yadav,
2. Dablu Yadav, Son of Nitya Nand Yadav, Both are resident of Village-Asouta (Nagel), P.S.- Sambhuganj, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
Mr. Satyaveer

For the Opposite Party/s : Mr. Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 Heard the parties.

This application has been filed in connection with Shambhuganj P.S.Case No.106 of 2015 for the offence under Sections 147, 148, 149, 307 and 302 of the Indian Penal Code.

It is submitted on behalf of the petitioners that there is no specific allegation of assault against the petitioners and whatever allegations are there that are against one Sanjay Yadav and Shekhar Yadav and the other co-accused, having similar allegation, have been granted bail by this Court, vide order dated 7.4.2016 passed in Cr. Misc. No.14359 of 2016 and order dated 12.1.2017 passed in Cr. Misc. No.882 of 2017. The petitioners are in custody for about six months.



Heard learned A.P.P. also.

Having heard both sides. In view of the fact that the allegation against the petitioners is omnibus in nature and the petitioners being in custody for about six months as well as the other co-accused, having similar allegation, have been granted bail by this Court, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Banka in connection with Sambhuganj P.S.Case No.106 of 2015.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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