

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38884 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -MAJHAHGARH District- GOPALGANJ

=====

1. Anil Yadav, Son of Jagarnath Yadav @ Jagarnath Chaudhary,
2. Ramendra Yadav @ Rabindra Yadav
3. Birendra Yadav,

Both Sons of late Basudeo Yadav,

4. Ambika Yadav, Son of Late Manogi Yadav,
5. Amresh Yadav, Son of Late Chandradeo Yadav,
6. Dhiran Yadav, Son of Ambika Yadav,

All R/o Village- Paithan Patti, Malikana, P.S.- Manjhagarh, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nagendra Prasad Yadav No-1, Adv.
For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Manjhagarh P.S. Case No. 66 of 2017, G.R. No. 1416 of 2017, instituted for the offence under Sections 147, 148, 323, 504, 506, 337, 307 of the Indian Penal Code and Section 27 of the Arms Act.

As per written report there is allegation against petitioner No. 1 of causing firearm injury to the son of the informant Sudhanshu Kumar Singh. The allegation against petitioner No. 2 is of causing firearm injury to the informant and



allegation against petitioner No. 6 is of causing firearm injury to the son of the informant namely, Pankaj Singh.

The injury report of all the three injured has been enclosed as Annexure-4 series wherein the Doctor has found firearm injuries on the person of all the three injured and the opinion has been kept reserved.

Therefore, this Court is not inclined to grant anticipatory bail to petitioner Nos. 1, 2 and 6, namely, Anil Yadav, Ramendra Yadav @ Rabindra Yadav and Dhiran Yadav.

Prayer for anticipatory bail of the petitioner Nos. 1, 2 and 6 stands rejected. They may surrender before the court below and make prayer for regular bail.

So far as petitioner Nos. 3, 4 and 5 namely, Birendra Yadav, Ambika Yadav and Amresh Yadav are concerned, there is no allegation of any specific overt act against them. Therefore, prayer for anticipatory bail of petitioner Nos. 3, 4 and 5 is allowed. In the event of surrender/arrest of the petitioner Nos. 3, 4 and 5, named above, within six weeks from today, in connection with Manjhaagarh P.S. Case No. 66 of 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 learned Chief Judicial Magistrate, Gopalganj,



subject to the conditions as laid down under Section 438 (2) 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.

S.Ali/-

(Sanjay Priya, J)

U		T	
---	--	---	--

