

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53550 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -KAUAKOL District- NAWADA

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1. Arvind Kumar @ Arvind Yadav @ Arvind Yadv, Son of Bhuneshwar Yadav
 2. Balak Yadav @ Rambalak Yadav, Son of Mauzi Yadav
 3. Bhuneshwar Yadav, Son of Mauzi Yadav,
- All Resident of Village-Guaghoghara, P.S.-Kawakole, In the District of Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate.

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Kawakole P.S. Case No. 22 of 2017** instituted for the offence under Sections 147, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the instant case has been lodged after delay of two months. The occurrence is said to have taken place on 20.1.2017 whereas the case has been registered on 03.03.2017. It has further been submitted that in fact, this case is a counter blast of Kawakole P.S.



Case No. 9 of 2017 lodged by the petitioner No. 1 against the informant and others. On 3.2.2017, the informant, for the same occurrence, has filed complaint Case No. 113 of 2017 which is pending before the Chief Judicial Magistrate, Nawada.

From the order of the learned Sessions Judge, it appears that there was no injury report to substantiate the allegation as alleged against the petitioners in the written report.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Kawakole P.S. Case No. 22 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 Additional Chief Judicial Magistrate-IV, Nawada**, 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)

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