

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3176 of 2017

Arising Out of PS.Case No. -52 Year- 2004 Thana -NARPATGANJ District- ARRARIA

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1. Fanilal Yadav, Son of Anirudh Yadav
2. Tilanand Yadav, Son of late Khushilal Yadav
3. Pramod Yadav, Son of Bechan Yadav
All are Resident of Village- Koshakapur, P.S.- Narpatganj, District- Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ambika Bhagat, Advocate
For the Opposite Party : Mr. Nawal Kishore Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-02-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Narpatganj P.S. Case No. 52 of 2004 instituted for the offence under Sections 147, 148, 149, 379, 307, 504 and 353 of the Indian Penal Code, Section 27 Arms Act and Section 33/41 of Indian Forest Act, 1927 and Amended Bihar Act, 1989.

It has been submitted on behalf of the petitioners that final form has been submitted against them by the police after investigation. The cognizance has been taken by the court below after differing with the final form and issued summon against these petitioners. These petitioners have no knowledge about



issuance of summons. They learnt about the cognizance when warrant of arrest was issued against them on 03.03.2016. It has further been submitted that other co-accused with similar allegation has already been granted bail by Co-ordinate Bench of this Court vide Cr. Misc. No. 33544 of 2016 dated 29.08.2016 and Cr. Misc. No. 41054 of 2016 dated 28.09.2016. In the circumstances, prayer of the petitioners for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Narpatganj P.S. Case No. 52 of 2004, they shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Araria, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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