

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31009 of 2017

Arising Out of PS.Case No. -111 Year- 2016 Thana -SAHKUND District- BHAGALPUR

- =====
1. Jai Jai Yadav @ Jago Yadav @ Jajo Yadav, son of Anirudh Yadav.
 2. Gajjo Yadav @ Gajo Yadav, son of Anirudh Yadav.
 3. Belu Yadav, son of Kuteshwar Yadav.
 4. Girish Yadav @ Giresh Yadav, son of Kuteshwar Yadav.
- All are the resident of village- Dauna, P.S. Sajour (Shahkund), District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Ajay Kumar Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Shahkund (Sajor) P.S. Case No. 111 of 2016, registered for the offences punishable under Sections 147, 148, 149, 323, 307, 379, 354, 504, 506 of the Indian Penal Code.

At the very outset, it has been submitted on behalf of petitioners that the petitioners have been granted police bail. During investigation, two co-accused Kuteshwar Yadav and Anirudh Yadav were not sent up for trial and, as such, in view of the decision in the Case of *Mahendra Prasad Singh Vs. State of Bihar reported in 2004 (3) PLJR page 491*, the petitioners should



be released on bail.

The learned A.P.P. submits that petitioners must surrender and seek regular bail.

In the facts and circumstances as stated above, the petitioners are directed to surrender in the Court below and in that case the learned court below shall considered the prayer of regular bail in the light of the decision as cited above and further considering that the petitioners have not misused the privilege of bail.

Accordingly, this criminal miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J.)

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