

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38202 of 2018

Arising Out of PS. Case No.-202 Year-2017 Thana- PAKARIBARAW District- Nawada

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1. Mithu Yadav @ Mithlesh Yadav, Son of Late Vindeshwari Yadav,
 2. Babloo Yadav, Son of Late Vindeshwari Yadav, All are resident of Village- Kargara, P.S.- Pakaribarawa, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Pakaribarawan (Dhamaul) P.S. case no. 202 of 2017 instituted for the offence under Section(s) 147,148,149, 307, 323, 354, 506 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against petitioner no.1 is of assaulting Subodh Kumar with butt of pistol on his head. Petitioner no.2 is alleged to have assaulted the son of informant, namely, Mithlesh on his head with iron rod. Learned counsel for the petitioners have produced the photo copy of the injury reports of both the injured during hearing of the bail petition, wherein, the doctor has found the injuries to be simple in nature.



In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Pakaribarawan (Dhamaul) P.S. case no. 202 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 the J.M.-1st, 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.

(Sanjay Priya, J)

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