

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46844 of 2018

Arising Out of PS.Case No. -58 Year- 2018 Thana -BARABAR TOURIST District- JEHANABAD

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1. Manoj Yadav, S/o Brajesh Yadav,
2. Brajesh Yadav, S/o Chamari Yadav,
Both Residents of Village- Lobgarh, P.S.- Barabar Paryatan (Tourism),
(Bishunganj O.P.), P.O. Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 25-08-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Barabar Paryatan [Tourism] (Bishunganj O.P.) P.S. Case No.58 of 2018** instituted for the offence under Section(s) 341, 323, 324, 308, 325, 504 and 379/34 Indian Penal Code.

Counsel for the petitioners submits that petitioners have no criminal antecedents. Both informant and petitioners are *Gotiyas*. Altercation has taken place for taking electric connection from the main wire, which was going through the house of informant. Police has registered the case under Section 308 Indian Penal Code. None of the injuries were on vital parts. Injury reports of all the three injured have been enclosed as



Annexure-2 series, which shows that all the injuries on the person of injured, except injury no.3 on the person of brother of the informant, were found to be simple in nature. Injury no.3 on the person of brother of the informant was found to be grievous, which was abrasion of size $\frac{1}{2}$ " x $\frac{1}{2}$ " on right shoulder.

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 **Barabar Paryatan [Tourism] (Bishunganj O.P.) P.S. Case No.58 of 2018**, 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 **Judicial Magistrate 1st Class, Jehanabad**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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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