

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37206 of 2018

Arising Out of PS.C.ase No. -128 Year- 2017 Thana -BANKA District- BANKA

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1. Pawan Yadav, S/o Jageshwar Yadav,
 2. Heera Yadav @ Hera Lal Yadav S/o Narsingh Yadav,
 3. Shyam Yadav S/o Fagu Yadav, All 1 to 3 are R/o Vill.- Fulidumar, P.S.- Banka, District- Banka.
 4. Bablu Yadav @ Bablu Kumar Yadav S/o Degan Yadav R/o Vill.- Chandanyara, P.S. & District- Banka.
 5. Ramjee Yadav S/o Sarvan Manjhi, R/o Vill.- Banwaridih, P.S.- Katoria, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-07-2018 Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Banka P.S. Case No. 128/2017, instituted for the offences punishable under Sections 341, 504, 506, 147, 148, 149, 385 and 427 of the Indian Penal Code read with Sections 3/4 of Explosive Substance Act.

Learned counsel for the petitioners has submitted that the petitioners have clean antecedent.

In the written report, it is alleged that one Hiwa Truck got damaged due to hurling of bomb on account of non-



fulfillment of demand of *Rangdari*. It is alleged that the informant along with others went to the place of occurrence and saw the petitioners running away along with some unknown persons with weapon threatening of dire consequences, if *Rangdari* is not paid.

Learned counsel for the petitioners has submitted that the truck driver has not lodged the F.I.R. Mere suspicion has been raised against the petitioners. No incriminating articles have been recovered from their possession.

Considering the facts and circumstances of the case, the 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 Banka P.S. Case No. 128/2017, 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 learned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438(2) of the 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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