

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71053 of 2018

Arising Out of PS. Case No.-65 Year-2018 Thana- BAKHTIARPUR District- Saharsa

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1. Mohan Yadav Son of Ramotar Yadav
 2. Anandi Yadav Son of Late Bhumi Yadav Both Resident of Village-Belwara,Tola Matkhora,P.S. Bakhtiyarpur (O.P. Kanariya),Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-12-2018 Heard counsel for the petitioners and counsel appearing on behalf of the State.

The petitioners are apprehending arrest in connection with Bakhtiarpur P.S. Case No. 65 of 2018 for offences under Sections 147, 148, 149, 341, 328, 324, 307, 427, 504, 506 of the Indian Penal Code.

Counsel for the petitioner submits that during the pendency of the application petitioner no. 1, Mohan Yadav has been arrested and as such the application on his behalf has become infructuous.

The application is dismissed as infructuous on behalf of petitioner no. 1.

So far as petitioner no. 2 is concerned, learned



counsel for the petitioner submits that he has no criminal antecedent and there is no overt act alleged against him.

Considering the fact that the petitioner no. 2 has no criminal antecedent and there is absolutely no allegation of assault against him and the fact fact similarly circumstanced co-accused Dhanoj Yadav and others have been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 35232 of 2018 vide order dated 28.6.2018, let the petitioner No.2, above named, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Bakhtiarpur P.S. Case No. 65 of 2018, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Anil Kumar Upadhyay, J)

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