

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74073 of 2018

Arising Out of PS. Case No.-1 Year-2017 Thana- DHIBRA District- Aurangabad

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1. Awadhesh Yadav, son of Lakhan Yadav, &
 2. Manjay Yadav, son of Lakhan Yadav, both resident of village- Lagurahi,
P.S.-Hariharganj, District- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chand Verma, Sr. Advocate

Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Smt. Gulnar Begam, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2/ 12-12-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners seek bail in **Dhibra P.S. Case No.01 of 2017** instituted for the offence under Section(s) 307 and other allied sections of Indian Penal Code, Sections 25(1-b)a, 26, 35, 37 of the Arms Act, Sections 4/5 of the Explosives Substance Act and Section 17 of the CLA Act.

The informant, who is a police Officer, has alleged in the written report that on 06.01.2017, he received information that extremists have assembled at the place of occurrence. On receiving such information, he went to the place of occurrence along with other police personnel. On seeing the police party, the miscreants started making firing. In retaliation, the police also made firing, but extremists managed to run away. No one



could be apprehended at the spot. Several incriminating articles were found at the place of occurrence. It is further alleged in the written report that from the voice of the persons talking with each other the villagers identified these petitioners and other eighteen accused persons.

Counsel for the petitioner further submits that other co-accused with similar allegation has already been granted regular bail by co-ordinate Benches of this Court by order dated 04.12.2018 passed in Cr. Misc. No.68899 of 2018 and order dated 08.01.2018 passed in Cr. Misc. No.58294 of 2017.

In the facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, Aurangabad**, in connection with **Dhibra P.S. Case No.01 of 2017**, subject to the condition that both the bailors shall be close relative of the petitioners.

(Sanjay Priya, J)

J. Alam/-

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