

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19501 of 2018

Arising Out of PS.Case No. -42 Year- 2005 Thana -BANMANKHI District- PURNIA

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1. Sanjay Yadav, Son of Sri Satya Narayan Yadav,
2. Anil Yadav, Son of Sri Satya Narayan Yadav, Both Resident of village-
Sahawani, P.S. Jankinagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mukti Nath Jaiswal, Son of Late Bindeshwari Prasad Jaiswal, resident
of Village- Ladugarh, P.S.- Jankinagar, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Session Trial no. 87 of 2010 arising out of Banmanki (Jankinagar)
P.S. Case No. 42 of 2005 in which they have been summoned
under section 319 of the Cr.P.C.

The above stated Banmankhi(Jankinagar) P.S.Case
No. 42 of 2005 was lodged on 26.02.2005 on the basis of
fardbeyan of PW-6 against the unknown person. After
investigation police did not submit charge sheet against the
petitioners but in course of trial in the year 2010, when PW- 5 and



PW-6 were examined, they expressed their suspicion against the petitioners and PW-5 specifically stated that she learnt from others about the involvement of the petitioners in the alleged crime whereas PW-6 stated that prior to the alleged occurrence, petitioners had threatened the deceased and on the basis of aforesaid statements, petitioners have been made accused in this case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that above named, petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 5th Additional Sessions Judge, Purnea in Session Trial No. 87 of 2010 arising out of Banmanki (Jankinagar) P.S. Case No. 42 of 2005 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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