

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10228 of 2018

Arising Out of PS. Case No.-83 Year-2016 Thana- BELAGANJ District- Gaya

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1. VIJAY YADAV @ VIJAY PRASAD, Son of Late Rameshwar Prasad.
 2. Dhirendra Kumar, Son of Vijay Yadav. Both are Resident of Village- Kharagpur, Tola- Girdhari Bigha, P.S.- Belaganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar
For the Opposite Party/s : Mr. SRI GANESH PRASAD SINGH

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Belaganj P.S. case no.
83/2016 instituted for the offence under Section(s) 323, 325,
307, 379 and 147 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
petitioner no.1 and informant are own brothers. In the written
report itself it is mentioned that there was dispute of property
between the brothers. Petitioner no.2 is son of petitioner no.1.
The instant case is counter blast of the case lodged by Sabuja
Devi wife of petitioner no.1 against the informant and others



vide Belaganj P.S. case no. 113/2016 in which she has sustained injuries along with Vijay Yadav and other persons.

In the instant case there is general and omnibus allegation that all the accused persons assaulted with lathi, danda etc causing injury to the informant and his family members.

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 Belaganj P.S. case no. 83/2016, 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 Additional Chief Judicial Magistrate-XI, Gaya, 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 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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