

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16954 of 2018

Arising Out of PS.Case No. -101 Year- 2017 Thana -DARIHAT District- SASARAM (ROHTAS)

- =====
1. Pawan Kumar, s/o Lav Singh Yadav,
 2. Lav Kumar @ Lav Singh @ Lav Singh Yadav, s/o late Ramchandra Singh, both resident of village- Hurka (Nand Tola), P.S.- Darihat, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 04-04-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Darihat P.S.**

Case No.101 of 2017 instituted for the offence under Section(s)

147, 148, 149, 186, 341, 323, 504, 506, 337, 338, 332, 427, 333,

307, 120-B, 353 Indian Penal Code.

Counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners. Name of the petitioners have been disclosed by local *Chaukidar*.

In the written report, it is alleged that three persons were arrested by the police, who were doing illegal mining at *Hurka Sone Ghat*. Thereafter about 70-80 persons armed with lathi, Danda etc. arrived and attacked the police party by pelting bricks, stones etc. and rescued the arrested persons.



There is no allegation of specific overt act against the petitioners.

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 **Darihat P.S. Case No.101 of 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 **Judicial Magistrate, 1st class, Dehri, Rohtas**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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)

JA/-

U		T	
---	--	---	--

