

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9075 of 2018

Arising Out of PS.Case No. -176 Year- 2013 Thana -NAUGACHIA District- BHAGALPUR

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1. Abhash Yadav, S/o Subodh Yadav @ Suvodh Yadav, Resident of Village- Dhobaniya, P.S.- Naugachia, District- Bhagalpur.

2. Amrendra Kumar Nirala @ Baleshwar Yadav @ Amrendra Kumar @ Amrendra Kumar Yadav, S/o Late Naresh Prasad Yadav, Resident of Village- Navin Nagar, Punama, Jharkahawa, P.S.- Dholbajja (Kadwa), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav
For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-03-2018 Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Naugachia P.S. Case No. 176/2013 instituted for the offences under Sections 365, 364, 120B and 201 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that petitioner no. 1 is not named in the written report. Petitioner No. 2 is named in the written report and mere suspicion has been raised against him.

Case diary has been received.

Learned Additional P.P., on perusal of the case diary, has submitted that mere suspicion has been raised against the



petitioners. Besides this, there is no specific material of committing overt act against them. It has further been submitted that both the petitioners have clean antecedent.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Naugachia P.S. Case No. 176/2013, 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 learned A.C.J.M. II, Naugachia, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the 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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