

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48618 of 2017

Arising Out of PS.Case No. -145 Year- 2008 Thana -GHOSI District- JEHANABAD

- =====
1. Vijay Yadav,
 2. Ajay Yadav,
 3. Sanjay Yadav, all are sons of Late Alakhdeo Yadav, R/o Village-Ramganj, P.S.- Ghoshi, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 22-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

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

Case No.145 of 2008 instituted for the offence under Section(s)
341, 323, 379/34 Indian Penal Code.

Counsel for the petitioners has submitted that in the instant case police after investigation submitted final form as 'case not true', but the learned Magistrate has taken cognizance against the petitioners for the offence under Section(s) 341, 323, 379/34 Indian Penal Code and Section 27 of the Arms Act.

There is allegation in the written report that on account of land dispute on the alleged date of occurrence petitioner no.1 started firing from pistol and other accused persons assaulted with butt of the gun. It is further alleged that petitioner no.3 snatched rupees five hundred and wrist watch.



Counsel for the petitioners has further submitted that no injury has been found on the person of the injured.

Case has been lodged on account of land dispute.

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 **Ghoshi P.S. Case No.145 of 2008**, 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 **Chief Judicial Magistrate, Jehanabad**, 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)

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