

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48493 of 2017

Arising Out of PS.Case No. -155 Year- 2017 Thana -UCHAKAGAON District- GOPALGANJ

- =====
1. Shiv Kumar Yadav @ Abhay Yadav @ Abhay Kumar Yadav @ Shiv Kumar, Son of Late Vidya Yadav,
 2. Sandeep Yadav, Son of Dhrup Yadav,
- Both 1 & 2 Resident of Village- Manbodh Parsouni, P.S.- Uchkagaon, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate
For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 15-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Uchkagaon P.S. Case No. 155 of 2017, G.R. No. 2992 of 2017** instituted for the offence under Sections 147, 149, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

It has been submitted that there has been free fight between the parties. Petitioner No. 2 has also filed Uchkagaon P.S. Case No. 154 of 2017 against the informant and others for the same date of occurrence in which petitioner Nos. 1 and 2 have sustained injuries.

The injury report of petitioner Nos. 1 and 2 have been



enclosed as Annexure-3 and 4.

In the instant case there is allegation against petitioner No. 1 of assaulting the informant on his forehead by knife whereas the allegation against petitioner No. 2 and other accused persons is of assaulting the informant Ranjeet Yadav with lathi danda, fists and slaps.

The injury report of the informant has been enclosed as Annexure-5 which shows that the injuries are simple in nature.

Considering the facts and circumstances of the case, 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 **Uchkagaon P.S. Case No. 155 of 2017 (G.R. No. 2992 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 **learned Additional Chief Judicial Magistrate-IX, Gopalganj**, 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 bond 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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