

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30469 of 2018

Arising Out of PS.Case No. -145 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

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1. Naresh Yadav, S/o Lakhon Yadav,
 2. Fantush Yadav,
 3. Bilash Yadav @ Ram Bilash Yadav,
 4. Suro Yadav

All Sons of Bhagwan Das Yadav,

All are R/o Vill.- Budhouli, P.S.- Sheikhpora, District- Sheikhpora.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-06-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Sheikhpora P.S. Case No. 145 of 2016** instituted for the offence under Sections 147, 148, 149, 448, 341, 323, 324, 325, 307, 354, 379 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that there is case and counter case between the parties. The co-accused Kaleshwar Yadav has lodged Sheikhpora P.S. Case No. 144 of 2016 against the informant and others. The instant case has been filed by the informant as counter blast. It has further been



submitted that Kaleshwar Yadav @ Kale Yadav, Karu Yadav, Chhote Yadav @ Chhotu Yadav, Rajesh Kumar and Rajo Yadav @ Rajendra Yadav have been granted anticipatory bail by coordinate Benches of this Court vide orders dated 20.09.2016, 02.03.2017 and 04.05.2018 passed in Cr. Misc. Case Nos.35471 of 2016, 48882 of 2016 and 26292 of 2018 respectively.

In the instant case the police after investigation has submitted final form against all the accused persons showing them not sent up for trial but cognizance has been taken against the petitioners also by the court below. The final form submitted by the police has been enclosed as Annexure-3.

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 **Sheikhpura P.S. Case No. 145 of 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 learned **Chief Judicial Magistrate, Sheikhpura**, 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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