

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38434 of 2018

Arising Out of PS.Case No. -51 Year- 2018 Thana -GAMAHARIYA District- MADHEPURA

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1. Umesh Yadav son of Late Pancham Yadav
2. Pankaj Yadav son of Umesh Yadav
3. Mukesh Yadav son of Umesh Yadav All are residents of Village -
Chikani Fulkaha, P.S. Gamharia, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Gamharia P.S.Case No.51 of 2018 , registered for offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioners is that the petitioner no.1 has assaulted the informant, petitioner no.2 fired on the informant and petitioner no.3 stabbed the informant and his brother.

Submission of the learned counsel for the petitioners is that though there is allegation of firing against the petitioner no.2 but there is no fire arm injury and all the injuries were found to be simple in nature, which will appear from the injury report



mentioned in the case diary.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Madhepura in connection with Gamharia P.S.Case no.51 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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