

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40995 of 2018

Arising Out of PS.Case No. -131 Year- 2016 Thana -KHODABANDPUR District- BEGUSARAI

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1. Ram Vinod Yadav, S/o Ram Swaroop Yadav,
 2. Sharwan Yadav @ Sharwan S/o Ram Vinod Yadav, Both R/o Vill. Purpathar, P.S.- Khedawandpur O.P. Ghaurahi, Distt.- Begusarai.
 3. Avinash Kumar S/o Krishna Murari @ Kamly Yadav, R/o Vill.- Kelwari, P.S.- Bithan, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-07-2018 The petitioners are apprehending their arrest in connection with Khodawanpur P.S. Case No. 131 of 2016, registered for offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that several accused persons named in the F.I.R. came there and fired on the deceased. It is alleged that Rajiv Yadav, Lalan Yadav and Raju Yadav were fired on the deceased and when he fell down one Lakhindar Yadav assaulted by farsa and due to that the brother of the informant died.

It has been submitted on behalf of the petitioners that there is no specific allegation either of firing or of assault has been



attributed against the petitioners. It is also submitted that the petitioners are innocent and falsely been implicated in this case. It has further submitted that the petitioners are made accused in the case due to land dispute. It has further submitted that similarly situated accused persons have already granted privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 05.04.2018 in Cr. Misc. No.17040/2018.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, Begusarai, in connection with Khodawandpur P.S. Case No. 131 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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