

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38118 of 2018

Arising Out of PS.Case No. -49 Year- 2013 Thana -LAXMIPUR District- JAMUI

- =====
1. Urmila Devi, Wife of Late Ramdhari Yadav,
 2. Reena Devi, Wife of Rabindra Yadav.
 3. Sunil Yadav, Son of Late Ramdhari Yadav,
 4. Mishri @ Mishri Yadav, Son of Chaturi Yadav.
 5. Rabindra Yadav @ Ravindra S/o Late Ramdhari Yadav. petitioner no. 1 to 5 resident of Village Tetariya, P.S. Laxmipur, District- Jamui.
 6. Murari Yadav @ Murari, Son of Chaturi Yadav, Resident of Village-Sardara, P.S. Belhar, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-07-2018

Heard learned counsel for the parties.

Petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504/34 of the Indian Penal Code.

The prosecution case as per the fardbyan of Janakwa Devi recorded by S.I. Jamui Police Station in Emergency Ward of Sadar Hospital, Jamui on 24-02-2013 is to the effect that 12 persons including the petitioners came and started assaulting the husband of the informant and when the informant went to rescue her husband, she was also assaulted and on alarm being raised, on arrival of villagers, they flee away. Consequently, the husband of the informant was taken to the Sadar hospital where he succumbed to the injuries.



Learned counsel for the petitioners submits that petitioners have not been sent up for trial and final form has been submitted

Learned counsel for the State submits that petitioners are named in the FIR.

Considering the fact that petitioners have not been sent up for trial as recorded in paragraph-7 of the petition, let the petitioners, above named, in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Jamui in connection with Laxmipur P.S. Case No. 49 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The FIR was registered in 2013, the investigation was completed in 2014, while cognizance of the offences was taken in the year 2015, whereas the present petition for bail is being filed in 2018. Hence, it is directed that petitioners will remain physically present in Court on each date and on default/being absent for three consequent dates without any reasonable explanation, the Court below will be at liberty to cancel bail bonds of the petitioners.

(Dinesh Kumar Singh, J)

A.K.V./-

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