

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51129 of 2018

Arising Out of PS.Case No. -122 Year- 2018 Thana -CHIRAIYA District- EASTCHAMPARAN
(MOTIHARI)

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1. Naveen Kumar, S/o Kailash Prasad Yadav,
2. Amit Kumar S/o Kailash Prasad Yadav,
3. Binod Prasad Yadav S/o Hajari Rai, All R/o Vill. Parei , P.S.- Shikarganj,
Distt. East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar, Adv.

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-09-2018 At the very outset, it has been submitted by learned counsel for the petitioner that petitioner no.2 has been and as such this application so far petitioner no. 2 is concerned has become infructuous and he may be permitted to withdraw the prayer for anticipatory bail with regard to petitioner no. 2.

Accordingly, this application so far petitioner no. 2 is dismissed as withdrawn having become infructuous.

So far other petitioners are concerned, they are apprehending their arrest in connection with Chiraiya (Shikarganj) P.S. Case No. 122 of 2018, registered for offences punishable under Sections 147, 149, 323, 341, 325, 307, 379, 504 and 506 of the Indian Penal Code.



Allegation against the petitioner no.1 is of assault by lathi to the informant and petitioner no.3 is also named in the F.I.R.

Submission of learned counsel for the petitioners is that the allegation of snatching of money is ornamental in nature and there is also case and counter case between the parties. Further submitted that the petitioners have falsely been implicated in this case.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner nos. 1 and 3, 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 A.C.J.M, Dhaka, East Champaran, in connection with Chiraiya (Shikarganj) P.S. Case No. 122 of 2018, 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.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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