

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23631 of 2018

Arising Out of PS.Case No. -123 Year- 2015 Thana -KHAIRA District- JAMUI

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1. Nakul Yadav @ Dinesh Yadav, Son of Mithu Yadav,
2. Sahadeo Yadav @ Mithu Yadav @ Sukhdeo Yadav, Son of Tejo
Yadav,
Both Nimnawada, P.S. Khaira, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate.

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 12-07-2018 Heard learned counsel for the petitioners and the
State.

The petitioners apprehend their arrest in **Khaira P.S.**
Case No. 123 of 2015 instituted for the offence under Sections
341, 342, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
there is general and omnibus allegation against the petitioners.
There is specific allegation against Sukhdeo Yadav of giving
sword blow on the head of brother of the informant namely, Birju
Yadav. Police after investigation did not find case true against
petitioners for the offence under Section 307 Indian Penal Code. It
has further been submitted that the court below after differing with



the final form, took cognizance against the petitioners for the offence under Section 307 Indian Penal Code also.

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 **Khaira P.S. Case No. 123 of 2015**, 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 **Sri U.K. Pandey, learned Judicial Magistrate 1st Class, Jamui**, 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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