

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4649 of 2018

Arising Out of PS.Case No. -179 Year- 2017 Thana -KAUAKOL District- NAWADA

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1. Amerik Yadav,
2. Chhotan Yadav,
Both sons of late Brahamdeo Yadav,
3. Rajesh Yadav, S/o Hari Nandan Yadav,
4. Binod Yadav S/o Late Rajendra Yadav,
All R/o Vill.- Upraili Upraili Manjhla , P.S.- Kawakole, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 11-05-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Kawakole**
P.S. Case No. 179 of 2017 instituted for the offence under
Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian
Penal Code.

As per *Fard-e-beyan* there is specific allegation
against petitioner No. 1 of assaulting the informant with *Khanti* on
his head causing serious injury.

Case diary has been received.

The injury report of the informant is available in the



case diary wherein the Doctor has found one injury on the scalp measuring 4-5” x 1.8” x 1.5” above the frontal region and opinion has been kept reserved.

Therefore, this Court is not inclined to grant anticipatory bail to petitioner No. 1 namely, Amerik Yadav.

Prayer for anticipatory bail of petitioner No. 1. stands rejected.

So far petitioner Nos. 2, 3 and 4 are concerned, there is general and omnibus allegation against them. Therefore, prayer for anticipatory bail of petitioner Nos. 2, 3 and 4 namely, Chhotan Yadv, Rajesh Yadav and Binod Yadav, is allowed. In the event of surrender/arrest of the petitioner Nos. 2, 3 and 4, named above, within six weeks from today, in connection with **Kawakole P.S. Case No. 179 of 2017**, 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 learned **Chief Judicial Magistrate, Nawada**, 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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