

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48542 of 2018

Arising Out of PS. Case No.-70 Year-2017 Thana- KHUDAGANJ District- Nalanda

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1. Rajiv Kumar, S/o Girja Yadav,
 2. Arun Yadav S/o Late Bajrangi Yadav, Both are R/o Vill.- Mohan Bagicha, P.S.- Makhdumpur In the District of Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 30-10-2018 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Khudaganj P.S. Case No. 70 of 2017 dated 15.06.2017, instituted for the offences under Sections 302, 201, 120(B) and 34 of the Indian Penal Code.

The father of the informant has been done to death out of a conspiracy in which the petitioners are said to have participated. One of the petitioners is also alleged to have come to the house of the informant to let the family know that the deceased had been killed by them and nothing could be done about it.

Learned counsel for the petitioners has submitted that admittedly there is a land dispute, which



fact stands admitted by the informant in the F.I.R. which has been lodged by him.

Apart from the vague suspicion, no other material could be collected against the petitioners during the investigation.

Some of the accused persons, who are more or less similarly situated, have been granted anticipatory bail by a Bench of this Court vide order dated 26.06.2018 passed in Cr. Misc. No. 17187 of 2018.

Regard being had to the aforesaid facts, the petitioners above-named are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 25,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Judicial Magistrate-1st, Hilsa, Nalanda in connection with Khudaganj P.S. Case No. 70 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

With following conditions:

(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 will not induce any witness



or tamper with the evidence.

(iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

(iv) If any serious incriminating material comes during the investigation, the prosecution shall move for cancellation of their bail bond.

(Ashutosh Kumar, J)

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