

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2853 of 2018

Arising Out of PS.Case No. -233 Year- 2017 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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1. Arjun Yadav, S/o Late Amrit Yadav,
2. Yogendra Yadav S/o Amrit Yadav,
Both R/o Village- Oli Bigha, P.S.- Chandi, Distt.- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate.

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Chandi P.S.**

Case No. 233 of 2017 instituted for the offence under Sections 147, 148, 149, 337, 307, 353 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that police received information that four accused persons of Chandi P.S. Case No. 33 of 2010 had come in the village. Thereafter, the informant with other police official surrounded the house of one of the warranty namely, Subhash Yadav, son of Arjun Gope (petitioner No. 1). In the meantime, petitioner No. 2 and other accused persons armed with gun, rifle, *desi katta* came and started throwing bricks on the police party and caused obstruction in discharging official duty.



Learned counsel for the petitioners has submitted that petitioner No. 2 is cousin of co-accused Subhash Yadav. In the written report mere general and vague allegation has been levelled against these petitioners.

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 **Chandi P.S. Case No. Case No. 233 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 **Additional Chief Judicial Magistrate-I, Hilsa, Nalanda**, 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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