

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.10628 of 2018**

Arising Out of P.S.Case No. -62 Year- 2017 Thana -BHADAURA District- PATNA

- =====
1. Shiv Narayan Yadav @ Sivan Yadav, S/o Late Chhotan Rai,
  2. Ram Babu Rai S/o Late Chhotan Rai,
  3. Indardeo Rai S/o Late Chhotan Rai, All R/o Village- Adampur, P.S.- Bhadaur, District- Patna.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Ashok Kumar Kashyap, Advocate  
For the Opposite Party : Mr. Pramod Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

2      27-02-2018      Heard.

The petitioners apprehend arrest in connection with Bhadaur P.S.Case No.62 of 2017 registered for an offence under Section 307 and other allied Sections of the IPC.

It has been submitted that both the parties are resident of same place and on account of old enmity, the present case has been lodged with false and frivolous allegation. The allegation of assault and taking of articles from the shop of the informant is omnibus. In the said offence, neither the informant nor any family of the informant has sustained any injury. There is also a counter case from the side of this petitioner vide Bhadaur P.S.Case No.63 of 2017 which has been lodged by the mother of co-accused Vicky Yadav. The other three accuseds having similar allegations have been allowed anticipatory bail by one of the coordinate



Bench of this Court in Cr.Misc.No.3841 of 2018.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioners in the event of their arrest or arrest before the court below within six weeks from today 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 Pankaj Kumar Tiwari, Judicial Magistrate, Ist class, Barh, Patna in connection with Bhadaur P.S.Case No.62 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (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 cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

**(Sanjay Kumar, J)**

B.Kr./-

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