

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2870 of 2018

Arising Out of PS.Case No. -2522 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Jai Hind Yadav @ Yogendra Yadav, S/o Late Rameshwar Yadav,
2. Prakash Yadav, S/o Late Rameshwar Yadav,
Both are R/o Village/Mohalla- Palwa, P.S.- Sanhaura, Distt.- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Majid, S/o Sk. Kamo Marhum , R/o Village- Palwa, P.S.-
Sanhaura, Distt.- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Indra Kumar Singh, 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 **Complaint**
Case No. 2522 of 2015 instituted for the offence under Sections
392, 506 of the Indian Penal Code and Section 27 of the Arms
Act.

Learned counsel for the petitioners has submitted that
as per complaint petition itself no injury has been caused to
anybody. The general and omnibus allegation has been levelled in
the complaint petition that petitioner No. 1 attempted to snatch the
amount of Rs.16,500/- and when the complainant raised objection,



then petitioner No. 2 put pistol on the chest of the informant and ultimately, snatched money from him. It has further been submitted that there is no recovery of any money from possession of this petitioner.

It is mentioned in paragraph-3 of the bail petition that petitioners have no criminal antecedent.

It is alleged that occurrence is said to have taken place on 24.11.2015 and complaint was lodged on 27.11.2015. Due to village politics, this false case has been filed. The petitioner No. 1 is handicap person.

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 **Complaint Case No. 2522 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 Kumar Pankaj, learned Judicial Magistrate, 1st Class, Bhagalpur**, 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.

S.Ali/-

(Sanjay Priya, J)

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