

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11822 of 2018

Arising Out of PS.Case No. -139 Year- 2012 Thana -NABINAGAR District- AURANGABAD

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Ram Pravesh Yadav, son of Late Ramu Singh, Resident of Village- Khaira,
P.S.- N.T.P.C. Khaira, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Nabinagar**
P.S. Case No. 139 of 2012 instituted for the offence under
Sections 147, 148, 149, 341, 323, 307, 427, 504, 337, 120B of the
Indian Penal Code and Section 27 of the Arms Act.

In the written report it is alleged that the informant
was entrusted to do the work as contractor as mentioned in the
written report and when the labourers began to work on the site,
300-400 persons armed with fire arms arrived there and objected.
They had said that they will perform the work as they are
displaced person. They abused and assaulted the informant and
labourers.

Learned counsel for the petitioner has submitted that



all those persons have been displaced and have not been paid compensation for acquiring their land. They have assembled there and were making peaceful protest. It has further been submitted that this false First Information Report has been lodged only to force them not to make protest.

From the written report it appears that there is general and omnibus allegation against the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Nabinagar P.S. Case No. 139 of 2012**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Aurangabad**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers



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 petitioner.

(Sanjay Priya, J)

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