

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32444 of 2018

Arising Out of PS. Case No.-268 Year-2017 Thana- BIHRA District- Saharsa

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1. Maheshwari Yadav @ Maheshri Yadav, S/o Late Jagdish Yadav,
 2. Amin Yadav S/o Late Jagdish Yadav,
 3. Bodhu Yadav @ Abhinandan Yadav S/o Digambar Yadav, All residents of Vill.- Rakiya, P.S.- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-07-2018 Heard learned counsel for the petitioners, learned counsel for the informant and the State.

The petitioners apprehend arrest in Bihra P.S. Case No. 268 of 2017 instituted for the offence under Sections 147,148,149,341,323,324,307,325,427,435,504 of the IPC.

Learned counsel for the petitioners submits that there is case and counter case between the parties. Bihra P.S. Case No. 269 of 2017 has been filed against informant and others from petitioner's side. There is no any specific allegation of overt act against these petitioners. It has been further submitted that other co-accused persons have already been granted anticipatory bail by coordinate Bench of this Court vide order dated 04.07.2018 passed in Cr. Misc. No. 37857 of 2018.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Bihra P.S. Case No. 268 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Saharsa, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners 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 petitioners.

(Sanjay Priya, J)

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