

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38310 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- GOGRI District- Khagaria

-
1. Anil Yadav
 2. Mohan Yadav Both Sons of Malhu Yadav @ Surendra Yadav
 3. Malhu Yadav @ Surendra Yadav Son of Late Pawan Khirhari
 4. Banti Yadav Son of Anil Yadav All are residents of Village - Pitaunjhia, P.S. - Gogari, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarkeshwar Pd. Verma, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Gogari P.S. Case No. 22 of 2018 instituted for the offence under Sections 302,201/34 of the IPC.

Learned counsel for the petitioners submits that name of these petitioners have been mentioned in the written report merely on the basis of suspicion. It is alleged in the written report that son of the informant namely Sumit Kumar (deceased) left his house on 20.01.2018 and did not return. Thereafter, on 21.01.2018 G.R.P. Maheshkhut, informed him about a dead body of a boy. The informant went there and found



the dead body of his son. It is alleged in the written report that he came to know that his son has love affair with daughter of petitioner no. 1 and he raised suspicion that his son was murdered by all these petitioners.

Learned Sessions Judge has mentioned in the impugned order that in the restatement at paragraph 3 of the case diary, the informant has given similar statement as given in the FIR raising suspicion against the petitioner.

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 Gogari P.S. Case No. 22 of 2018 to the satisfaction of learned Chief Judicial Magistrate, Khagaria, 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)

khushbu/-

U		T	
---	--	---	--

