

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77300 of 2018

Arising Out of PS. Case No.-67 Year-2018 Thana- SHANKARPUR District- Madhepura

1. Somi Yadav son of Late Jugal Yadav.
 2. Polay Yadav son of Late Jivlal Yadav.
- Both residents of Village Kabiyahi, P.S. Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Shankarpur P.S. Case No. 67 of 2018 for the offences under Sections 341, 323, 379, 307, 504, 506, 34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits that the petitioners have no criminal antecedent. He submits that allegation of overt act is against the petitioner no.1 and there is no allegation of overt act against petitioner no.2.

Considering the aforesaid fact, let the petitioner no.2 above named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of



Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court of learned Additional Chief Judicial Magistrate 1st, Madhepura in connection with Shankarpur P.S. Case No. 67 of 2018, subject to the conditions as laid down under Section 438 Cr.P.C.

So far as petitioner no.1 is concerned the Court is not inclined to grant privilege of anticipatory bail, accordingly it is hereby rejected. However, the dismissal of the anticipatory bail application will not cause prejudice to the petitioner no.1 and in the event, the petitioner no.1 surrenders before the Court below and prays for regular bail, the Court below is hereby directed to dispose of the application for regular bail of the petitioner no.1 on the same day in accordance with law without being influenced by dismissal of this application on behalf of petitioner no.1.

(Anil Kumar Upadhyay, J)

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