

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34347 of 2018

Arising Out of PS. Case No.-55 Year-2018 Thana- BUXAR MUFFSIL District- Buxar

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1. Arun Kumar Yadav @ Arun Yadav, S/o Vidyapati Yadav,
 2. Manoj Yadav, S/o Paras Yadav,
 3. Umesh Yadav, S/o Late Vidyapati Yadav,
 4. Pappu Yadav, S/o Balli Yadav,
 5. Rakesh Ranjan Yadav, S/o Bishram Yadav,
 6. Nishakar Yadav alias Nishankar Yadav, S/o Rajendra Yadav,
 7. Lallan Yadav, S/o Dwarika Yadav,
 8. Radheshyam Yadav, S/o Vidyapati Yadav,
 9. Shyam Narayan Yadav, S/o Vidya Pati Yadav,
 10. Sriman Yadav, S/o Shyam Narayan Yadav, All resident of Village- Mahdah, P.S.- Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary I

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-07-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

Petitioners apprehend their arrest in Buxar Mufassil P.S. case no. 55 of 2018 instituted for the offence under Section(s) 147, 148, 149, 447, 323 and 307 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the informant has appeared and submitted that there is a criminal case pending against petitioner no. 4. But in para 3 of the bail petition, it has been mentioned that there is no criminal case pending against



petitioner no. 4.

Learned counsel for the petitioners has submitted that he has stated all the cases which has come to his knowledge against the petitioner nos. 7, 9 and 10 at paragraph no.3.

The case diary has been received. From perusal of the case diary, it appears that police mentioned about the cases that are pending against the petitioners in para 13 of the case diary and the petitioners have mentioned all those cases in para 3 of the bail petition.

Learned counsel for the petitioner has submitted that there is specific allegation against co- accused Sushil Yadav of assaulting the informant. There is general and omnibus allegation against other accused persons. It is further pointed out that co accused, namely, Angad Yadav with similar allegation have already been granted anticipatory bail by this Hon'ble Court vide order dated 18.7.2018 passed in Cr. Misc. no. 29307 of 2018

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Buxar Mufassil P.S. case no. 55 of 2018 , 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 the CJM-V, Buxar, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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.

(Sanjay Priya, J)

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