

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52918 of 2018

Arising Out of PS.Case No. -51 Year- 2018 Thana -IMAMGANJ District- GAYA

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1. Lalu Yadav, Son of Holi Yadav,
2. Mahang Yadav @ Mahan Yadav @ Mohan Yadav, Son of Holi Yadav,
3. Sanjay Yadav, Son of Bisheshwar Yadav,
4. Bindu Bhuiyan, Son of Late Kuleshwar Bhuiyan,
5. Deonandan Bhuiyan, Son of Late Sardari Bhuiyan,
All residents of Village- Padariya, P.S.- Imamganj, P.O.- Imamganj,
District- Gaya, Bihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 342, 323, 324, 337, 353, 307 and 427 of the Indian Penal Code registered in connection with Imamganj P.S. Case No. 51 of 2018.

3. It is submitted that the petitioners have been falsely implicated in connection with raid against manufacture of illicit liquor in the village of which the petitioners are residents. No recovery of any incriminating articles has been made from the possession of the petitioners. Similarly situated co-accused Dular Sao and others have been granted anticipatory bail by this Court in Cr. Misc. No. 40725 of 2018 vide order dated 16.07.2018. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and



circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sherghati, District Gaya in connection with Imamganj P.S. Case No. 51 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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