

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53171 of 2018

Arising Out of PS.Case No. -243 Year- 2018 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Binod Yadav S/o late Munni Yadav
2. Brijesh Yadav S/o Pheku Yadav
3. Tuntun Sah@ Tuntun Prasad S/o Vishwanath Sah
4. Mahanth Ram S/o Munni Ram
5. Lalkuwar Yadav S/o Shivdhar Yadav
6. Akhilesh Yadav S/o Binod Yadav
All Six are R/o Nawalpur, P.S. Yogapatti (Nawalpur), District- West
Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party : Mr. S.N. Shukla, 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 363, 365, 341, 342, 323, 324,
307/34 of the Indian Penal Code registered in connection with
Yogapatti (Nawalpur) P.S. Case No. 243 of 2018.

3. It is submitted that the petitioners have been
falsely implicated and no motive for the alleged occurrence has
been attributed by the informant who himself was found



committing theft and made to pay a fine of Rs. 1,000/- by the Sarpanch on admission of guilt a day prior to the alleged occurrence. The petitioners claim clean antecedents.

4. Be that as it may, 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S. Case No. 243 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 shall be a close relative of the petitioners.

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

(iii) The petitioners shall cooperate with the investigation, if not already concluded, 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) 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)

Md. Ibrarul/-

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