

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41321 of 2018

Arising Out of P.S.C.ase No. -97 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Umesh Yadav @ Umesh Kumar, S/o Birendra Yadav @ Berendra Singh,
R/o Mohalla- Khaira, P.S.- Barun, District- Aurangabad.

2. Birendra Yadav @ Birendra Singh, S/o Ramdeo Yadav @ Ramdeo
Singh, R/o Chandar Bigha, P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioners as well as
the State.

The petitioners apprehend their arrest in Barun P.S.
Case No. 97/2018, instituted for the offences under Sections 147,
148, 149, 341, 323, 324, 307, 332, 333, 353, 395, 436, 504 and
120(B) of the Indian Penal Code as well as Sections 3/4 of the
Prevention of Damage to Public Property Act, 1984.

Learned counsel for the petitioners has submitted that
the petitioners are alleged to be merely members of unlawful
assembly. Other co-accused persons have been granted anticipatory
bail vide Cr. Misc. No. 39657/2018 dated 10.07.2018 and Cr. Misc.
No. 38183/2018.



Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Barun P.S. Case No. 97/2018, they shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 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 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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