

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7091 of 2019

Arising Out of PS. Case No.-19 Year-2017 Thana- BANMANKHI District-
Purnia

- =====
1. Rajeev Kumar Jaiswal @ Munna Jaiswal aged 50 years, Male, Son of Viveka Nand Jaiswal
 2. Om Prakash Yadav @ Uma Kant Bharti aged about 50 years, Male, Son of Asharfi Yadav
 3. Raj Kumar @ Raju Yadav @ Raj Kumar Yadav aged 31 years, Male, Son of Late Ramdeo Yadav
 4. Chhotu Yadav @ Anshu Anand aged 22 years, Male, Son of Anil Prasad Yadav
 5. Sanjay Poddar aged 36 years, Male, Son of Kapildev Poddar
- All Resident of Hriday Nagar, P.S. Banmankhi, District- Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Sudhir Kumar Thakur, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 143, 341, 342, 353, 186 of the Indian Penal Code registered in connection with Banmankhi P.S. Case No. 19 of 2017.

3. It is submitted that the petitioners have been falsely implicated and no overt act of assault has been alleged. The petitioners are said to have instigated the mob and raised slogans. Similarly situated co-accused Sunil Yadav @ Sunil Kumar Yadav has been granted anticipatory bail by this Court in Cr. Misc. No. 75338 of 2018. The petitioners claim clean antecedents.

4. Be that as it may, 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, Purnea in connection with Banmankhi P.S. Case No. 19 of 2017, 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)

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