

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7719 of 2019

Arising Out of PS. Case No.-2573 Year-2016 Thana- COMPLAINT CASE District- Araria

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1. NARAYAN YADAV Son of Late Baldeo Yadav, Resident of village- Bishanpur, Police Station- Raniganj, District- Araria.
 2. Mithilesh Yadav @ Mithilesh Kumar Yadav Son of Narayan Yadav, Resident of village- Bishanpur, Police Station- Raniganj, District- Araria.
 3. Sanjay Sharma Son of Prameshwari Sharma Resident of village- Bishanpur, Police Station- Raniganj, District- Araria.
 4. Subodh Yadav Son of Jay Shree Lal Yadav, Resident of village- Laxmipur, Police Station- Simraha, District- Araria

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Parmanand Yadav Son of Late Baldeo Yadav, Resident of Village- Bihanpur, Police Station- Raniganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Complaint Case No. 2573C of 2016 and later on it was converted to the police case and the final form has been submitted but on protest petition, cognizance has been taken under sections 406 and 379 of the Indian Penal Code.

Allegation has been made that the buffalo of the informant-cum-complainant became traceless. The petitioners have assured that if the complainant would pay Rs.15,000/-, they will ensure the recovery of the same and for that Rs.5,000/- as advance



was paid to the petitioner.

The learned counsel for the petitioner submits that the allegation is completely false and the case has been filed with a view to extract money of Rs.5,000/- from the petitioner. Both the parties are their own brother.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 2573C of 2016, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Shivaji Pandey, J)

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