

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11512 of 2019

Arising Out of PS. Case No.-69 Year-2018 Thana- KHAGARIA District- Khagaria

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1. JAGDISH YADAV Son of Bino Yadav Resident of Village - Mathar, PS- Muffasil, Dist.-Khagaria
 2. Chandeshwari Yadav Son of Bino Yadav Resident of Village - Mathar, PS - Muffasil, Dist-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-02-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Khagaria (Muffasil) P.S. Case No. 69 of 2018 for the offence under Sections 307 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioners has submitted that there is no allegation of assault made against these petitioners. The police upon completion of investigation have submitted charge-sheet against those persons against whom there is allegation of opening fire, but not against these petitioners. However, the Court below, differing with the police report to limited extent, has summoned these petitioners



also, which is the reason why the petitioners apprehend arrest. The persons, against whom there is allegation of opening fire, have been allowed anticipatory bail by this Court by order dated 06.09.2018 passed in Cr. Misc. No. 42093 of 2018.

Considering the above, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st, Khagaria in Khagaria (Muffasil) P.S. Case No. 69 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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