

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17090 of 2019

Arising Out of PS. Case No.-323 Year-2018 Thana- KAKO District- Jehanabad

1. Suresh Yadav Son of Late Prabhu Yadav
2. Ram Pravesh Yadav Son of Late Prabhu Yadav Resident of Village-Satanpur, P.S.- Kako, District- Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 337, 338, 307, 353, 379, 511, 333, 332, 186, 189, 504 of the Indian Penal Code.

The prosecution case, in brief, is that while the informant with police personnel went to the place of occurrence to pacify the dispute, the accused persons encircled the police personnel and attacked on them with lathi, Danda and brick.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused in the present case due to mistake of fact. The name of the petitioners



surfaced in this case on the basis of disclosure made by local chowkidar. Altogether 29 persons are named in the FIR along with 25 unknown persons. General and omnibus allegation has been made against the petitioners. The other co-accused with similar allegation have been granted anticipatory bail by a coordinate bench of this court vide order dated 13-03-2019 passed in Cr. Misc. No. 15419 of 2019.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, 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 Sri Umesh Prasad, learned Judicial Magistrate-Ist Class, Jehanabad in connection with Kako P.S. Case No. 323 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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