

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20506 of 2019**

Arising Out of PS. Case No.-155 Year-2018 Thana- RUNISAIDPUR District-
Sitamarhi

- =====
1. NAMONATH PRASAD YADAV, aged about 42 years, male, Son of Kishori Prasad Yadav Resident of Village - Sugridih, P.S.- Runnisaidpur, District - Sitamarhi
 2. Amarnath Prasad, aged about 45 years, male, Son of Kishori Prasad Yadav Resident of Village - Sugridih, P.S.- Runnisaidpur, District - Sitamarhi

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Hans Lal Kumar, Advocate.
For the Opposite Party: APP
For the Informant : Mr. Ashok Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 17-07-2019

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 342, 323, 307, 379, 342, 504 of the Indian Penal Code registered in connection with Runnisaidpur P.S. Case No. 155 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute as the parties are *pattidar*. The injuries are simple in nature. The petitioners claim clean antecedents.

4. Learned APP assisted by learned counsel for the informant opposes the anticipatory bail petition. Learned APP refers to paragraph-19 of the case diary containing the injury, according to which opinion is reserved.

5. 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 provisional 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, Sitamarhi in connection with Runnisaidpur P.S. Case No. 155 of 2018, 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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) That 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.

6. The provisional bail granted to the petitioners shall be confirmed upon verification by the learned Court below, preferably within a further period of four weeks after furnishing bail bonds, that none of the injuries sustained by the informant's side is grievous in nature, failing which their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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