

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18375 of 2019

Arising Out of PS. Case No.-202 Year-2015 Thana- KAKO District- Jehanabad

1. SURESH YADAV Son of Late Ramautar Yadav, Resident of Village-Pahal Bigha, P.S.-Kako, District-Jehanabad.
2. Naresh Yadav Son of Late Ramautar Yadav, Resident of Village-Pahal Bigha, P.S.-Kako, District-Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-03-2019 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, 341, 323, 307,325, IPC and Section 27 of the Arms Act and later on added Section of the IPC registered in connection with Kako P.S. Case No. 202/2015.

3. It is submitted that the petitioners have been falsely implicated and the thrust of accusation of assault with fire arm and with iron rod is upon co-accused Nawal Yadav and Kamlesh Prasad respectively, There is no accusation of any assault against the present petitioners. After due investigation charge sheet has been submitted against other co-accused persons, whereas the petitioners were not sent up for trial. 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 Mr.



P.K.Bharti, learned J.M. Ist Class, Jehanabad in connection with Kako P.S. Case No. 202/2015 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. That the petitioners shall co-operate 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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