

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66089 of 2018

Arising Out of PS. Case No.-108 Year-2017 Thana- KAKO District- Jehanabad

- =====
1. Kaushalendra Kumar @ Kaushalendra Yadav S/o Indal Yadav
 2. Ravindra Yadav S/o Shivnarayan Yadav Both are Residents of Village- Chandaura Tola- Mohanbigha, P.S. Kako, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Soni Shrivastava, Adv

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-01-2019 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, 307, 341, 326, 302, 120(B) IPC and Section 27 of the Arms Act registered in connection with Kako P.S. Case No. 108/2017.

3. It is submitted that the petitioners have been falsely implicated and the accusations against the petitioners are general and omnibus without any specific allegation of assault. It is stated that the petitioner no. 1 was attending coaching class while petitioner no. 2 was in West Bengal at the relevant time. After due investigation, the police submitted charge sheet in which the petitioners were not sent up for trial. Similarly situated co-accused Bindal Yadav and Pappu Yadav @ Pappu Kumar have been granted anticipatory bail by this Court in Cr. Misc. No. 7455 of 2018 and Cr.Misc. No. 47452 of 2017 respectively.



4. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM, Jehanabad, in connection with Kako P.S. Case No. 108/2017 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 petitioner.

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

(iii) The petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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