

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19527 of 2019

Arising Out of PS. Case No.-141 Year-2017 Thana- GAYA MUFASIL District- Gaya

1. BHOLA YADAV @ RAMESHWAR PRASAD YADAV Son of Late Ganga Yadav
2. Manoj Yadav @ Manoj Kumar Son of Late Ganga Yadav
3. Vikki Kumar Son of Bhola Yadav
4. Jaiky Kumar Son of Manoj Yadav, all Residents of Mohalla-Bulla Shahid, Narayan Nagar, Police Station-Muffasil and District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 353, 323, 332, 337, 504,307/34 IPC registered in connection with Muffasil P.S. Case No. 141 of 2017.

3. It is submitted that the petitioners have been falsely implicated and in any event, even the accusation in the FIR to the effect that the petitioners hurled oral insults at the police party. The ingredients of Section 353 IPC are not made out as no obstruction was caused in discharge of their duties. The accusation that the petitioner no. 1 indulged in stone pelting is not supported by any injury report. There is no accusation of assault against other petitioners. 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 learned CJM, Gaya, in connection with Muffasil P.S. Case No. 141 of 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 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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