

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23973 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

-
1. Ram Pravesh Yadav, aged about 29 years (Male), Son of Late Rajo Yadav
 2. Upendra Yadav aged about 55 years (Male), Son of Late Chhotan Yadav
Both resident of Village-Kabirpur, P.S.-Shekhopur Sarai, District
Sheikhpura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Thakur Mr. Shashank Shekhar Mr. Malay Kr. Choudhary, Advocates
For the Opposite Party	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 302, 120(B) and 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act registered in connection with Shekhopursarai P.S. Case No. 60 of 2018.

3. It is submitted that the petitioners have been falsely implicated on mere suspicion except which there is no objective material to connect them with the alleged occurrence. Even according to the FIR, the deceased was shot at by other co-accused persons and the only allegation against the petitioners is of having threatened the informant a few days ago. After due investigation, the petitioners have been exonerated and charge sheet has been filed only against other accused persons. Petitioner no. 1 claims clean antecedents while petitioner no. 2 was an accused in one other case in which he has been acquitted.

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 them be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Sheikhpura in connection with Shekhopursarai P.S. Case No. 60 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) 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.

(iv) 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.

BT/-

(Vikash Jain, J)

U		T	
---	--	---	--

