

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24300 of 2019**

Arising Out of PS. Case No.-382 Year-2018 Thana- FATEHPUR District-
Gaya

- =====
1. BHUNESHWAR YADAV, aged about 40 years, male, Son of Mahabir Yadav Resident of Village- Tinanma, P.S.- Fatehpur, District- Gaya.
 2. Ramdeo Yadav, aged about 45 years, male, Son of Mahabir Yadav Resident of Village- Tinanma, P.S.- Fatehpur, District- Gaya.
 3. Mukesh Yadav @ Mukesh Kumar, aged about 18 years, male, Son of Ramdeo Yadav Resident of Village- Tinanma, P.S.- Fatehpur, District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Vishwa Ranjan Choudhary, Advocate.
For the Informant : Mr. Ajay Kumar Sinha, Advocate.
For the State : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 504, 307/34 of the Indian Penal Code registered in connection with Fatehpur P.S. Case No. 382 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event the accusations are general and omnibus in nature as against petitioner no. 1. The accusation of assault by petitioner nos. 2 and 3 upon the informant and his



bhabhi disclose the injury of simple nature. It is further submitted that grievous injuries sustained by other injured persons are not attributable to the present petitioners. The present F.I.R. has been filed after considerable delay of about 6 days after the alleged occurrence in retaliation to the petitioner's own F.I.R. filed on the date of occurrence itself. The petitioners claim clean antecedents.

4. Learned APP assisted by learned counsel for the informant opposes the anticipatory bail petition.

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 bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Xth, Gaya in connection with Fatehpur P.S. Case No. 382 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 of the petitioners.

(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.

(Vikash Jain, J)

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