

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24001 of 2019

Arising Out of PS. Case No.-260 Year-2018 Thana- KHAGARIA District- Khagaria

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1. Arjun Yadav, aged about 24 years (male) Son of Gajo Yadav,
 2. Vinay Yadav, aged about 21 years (male) Son of Gajo Yadav,
Both resident of Village- Barkhandi Tole, P.S.- Muffasil, District- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Chandan Kumar Kashyap, Advocate
For the Opposite Party : APP

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 147, 149, 341, 323, 379, 504 and 308 of the Indian Penal Code registered in connection with Khagaria (Muffasil) P.S. Case No. 260 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute and there is case an counter case between the parties. The accusation of assault against the petitioners is general and omnibus in nature. Injuries resulting from the assault attributed to the petitioners are simple in nature. Similarly situated accused persons, namely, Devniti Yadav, Rajiv Yadav, Ajit Yadav and Chhabbu Yadav have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 04.02.2019 passed in Cr. Misc. No. 66999 of 2018.

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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 260 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.

(Vikash Jain, J)

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