

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21959 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- BITHAN BAZAR District- Samastipur

1. Endal Yadav, Male Aged about 30 years, Son of Ram Badan Yadav
 2. Arvind Yadav, Male Aged about 27 years, Son of Late Suresh Yadav
 3. Suresh Yadav Male Aged about 70 years, Son of Sukhdev Singh
- All 1-3 are residents of Village-Bakhari, P.S-Bithan, District-Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Bijay Bhushan Prasad, Advocate
For the State	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-04-2019 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, 148, 307, 323, 341, 342, 379, 504 and 506 of the Indian Penal Code registered in connection with Bithan P.S. Case No. 81 of 2018.

3. It is submitted that the petitioners have been falsely implicated in connection with land dispute and there is case and counter case between the parties. It is submitted that specific accusations have been made against co-accused Shrinandan Yadav, who assaulted the son of the informant on his head in respect of which injury report has been kept reserved. The petitioner nos. 2 and 3 are said to be merely order givers and the accusation of snatching gold chain by petitioner no. 1 is mere embellishment and the accusation of assault by petitioners is general and omnibus and no specific injury has been attributed individually. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur in connection with Bithan P.S. Case No. 81 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)

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