

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21362 of 2019**

Arising Out of PS. Case No.-403 Year-2018 Thana- GAYA KOTWALI
District- Gaya

- =====
1. JEETU YADAV, aged about 25 years, male, Son of Late Rajendra Yadav Resident of Village - Maharani Road., P.S.- Kotwali, Distt.- Gaya.
 2. Chandan Yadav, aged about 23 years, male, Son of Late Rajendra Yadav Resident of Village - Maharani Road., P.S.- Kotwali, Distt.- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioners : Mr. Sanjeev Kumar, Advocate.

For the Opposite Party: Mr. Rajendra Prasad Nat, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 447, 307/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Kotwali P.S. Case No. 403 of 2018.

3. It is submitted that the petitioner have been falsely implicated merely because the petitioner no. 1 had been made accused in two prior cases in both of which he is on bail. The present F.I.R. has been instituted implicating the petitioner no. 1 along with his three brother merely on suspicion. The petitioners' case stand on better footing than co-accused Ranjan Yadav who has been granted anticipatory bail by the learned Court below. No injury has been caused to anyone nor there is any recovery of arms from the petitioners. The petitioner no. 2 claims 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 Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 403 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 other than the petitioners herein.

(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)

lbrar//-

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

