

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23017 of 2019

Arising Out of PS. Case No.-285 Year-2017 Thana- DULHIN BAZAR District- Patna

1. Chandhari Yadav Aged about 42 years, Male, Son of Late Ram Ratan Yadav
2. Lal Mohan Yadav Aged about 40 years, Male, Son of Ram Eshwar Yadav
3. Sunita Devi Aged about 40 years, Female, Wife of Sikandar Yadav
4. Bablu Yadav Aged about 19 years, Male, Son of Sikandar Yadav
5. Bimla Devi Aged about 32 years, Female, W/o Lal Mohan Yadav
6. Gulabia Devi @ Bedamia Devi Aged about 80 years, Female, W/o Late Ram Ratan Yadav
7. Phul Kumari Devi @ Phul Kunwar Devi Aged about 40 years, Female, W/o Chandhari Yadav
8. Bholi Devi, Aged about 25 years, Female, W/o Chandan Yadav
9. Laxman Yadav, Aged about 50 years, Male, Son of Late Ram Ratan Yadav All are residents of Village - Sherpura, P.S.- Dulhin Bazar, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Arvind Kumar Pradhan, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-04-2019 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, 323, 324, 307 and 379 of the Indian Penal Code registered in connection with Dulhin Bazar P.S. Case No. 285 of 2017.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties, who are *Gotias*. The accusations are much far general and omnibus and accusation of assault with knife by petitioner no. 1 is not corroborated from the injury report. It is submitted that in any event, injuries are simple in nature. The accusation of theft of ornaments is mere embellishment. 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 Additional Chief Judicial Magistrate, Danapur in connection with Dulhin Bazar P.S. Case No. 285 of 2017, 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 petitioner nos. 1, 2, 4 and 9 shall remain physically present in court on each and every date during trial; and petitioner nos. 3, 5, 6, 7 and 8 shall be well represented in court on each and every date during trial except as and when directed by the learned court to be physically present, 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.

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(Vikash Jain, J)

