

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26826 of 2019

Arising Out of PS. Case No.-62 Year-2018 Thana- KAJRA District- Lakhisarai

1. Puneet Yadav @ Puneet Kumar aged about 22 years gender male Son of Makeshwar Yadav @ Makku Yadav
2. Dabloo Yadav @ Dablu Kumar aged about 25 years gender male Son of Makeshwar Yadav @ Makku Yadav
3. Dharmendra Yadav aged about 45 years gender male Son of Kusho Yadav
4. Rabo Yadav aged about 28 years gender male Son of Kusho Yadav
5. Kulo Yadav @ Phulo Kumar aged about 21 years gender male Son of Damodar Yadav
6. Ranjan Yadav @ Ranjan Kumar aged about 22 years gender male Son of Damodar Yadav
7. Chandan Yadav @ Chandan Kumar aged about 25 years gender male Son of Dwarika Yadav @ Dorik Yadav
8. Bechan Yadav @ Bechan Kumar aged about 23 years gender male Son of Arjun Yadav
9. Vikku Yadav @ Vikash Kumar aged about 24 years gender male Son of Lukhar Yadav
10. Neeraj Yadav @ Lelafa Yadav aged about 30 years gender male Son of Ishwar Yadav

All are resident of Village-Urain, P.S-Kajra, District-Lakhisarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Vikram Jeet, Advocate

For the Opposite Party : Mr.Shailendra Kumar,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 24-04-2019 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, 149, 341, 323, 324, 326, 307 and 504 of the Indian Penal Code registered in connection with Kajara P.S. Case No. 62 of 2018.

3. It is submitted that the petitioners have been falsely



implicated in the backdrop of communal dispute and there is case and counter case between the parties. The accusation of assault against the petitioners is general and omnibus in nature. There is inordinate delay in instituting the first information report on 23.11.2018 for the alleged occurrence of 22.11.2018. The petitioners claim clean antecedents.

4. Learned APP opposes the anticipatory bail petition noticing the submission of learned APP that Seraj Khan sustained grievous injury as disclosed in the order of learned Sessions Judge dated 13.03.2019 in ABP No. 167 of 2019.

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 provisional anticipatory 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, Lakhisarai in connection with Kajara P.S. Case No. 62 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.

6. The provisional bail granted to the petitioners shall be



confirmed upon verification by the learned court below that no grievous injury has been sustained by the informant's side, failing which their bail bonds shall stand automatically cancelled.

BT/-

(Vikash Jain, J)

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