

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28297 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- CHAKAND District- Gaya

1. UDAY YADAV S/o Mundar Yadav R/o Village- Kumer Bigha Tola, Aliganj, P.S.- Chakand, District- Gaya
2. Sanjay Yadav S/o Mundar Yadav R/o Village- Kumer Bigha Tola, Aliganj, P.S.- Chakand, District- Gaya
3. Mundar Yadav @ Butan Yadav S/o Late Jugeshwar Yadav R/o Village- Kumer Bigha Tola, Aliganj, P.S.- Chakand, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Veer

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 341, 324, 307,379,504, 506/34 IPC registered in connection with Chakand P.S. Case No. 151 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and in any event there is no injury report on record to corroborate the accusation of assault attributed to the petitioners. There is delay of two days in institution of the FIR on 24.11.2018 for the alleged occurrence of 22.11.2018. The offence under Section 379 IPC is mere embellishment. The petitioners claim clean antecedents.

4. Be that it may, in the event of petitioners arrest or surrender within four weeks hereof let the above named petitioners be released on provisional anticipatory bail on



furnishing bail bond of Rs.10,000/- [ten thousand] each with two sureties of like amount each to the satisfaction of learned ACJM VI, Gaya in connection with Chakand P.S. Case No. 151 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 shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate 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) 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.

5. The provisional bail granted to the petitioners shall stand confirmed upon verification by the learned Court below, preferably within a further period of twelve weeks after furnishing bail bonds, that no grievous injury has been caused to the informant. In case the petitioners' claim fails upon verification, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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