

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26351 of 2019

Arising Out of PS. Case No.-397 Year-2018 Thana- NARPATGANJ District- Araria

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1. Prithwi Chand Yadav, aged 48 years (Male) Son of Late Kanhai Yadav
 2. Munna Yadav, aged 50 years (Male) son of Rati Prasad Yadav @ Rafeti Yadav
- Both are residents of village- Palasi, P.S.- Narpatganj, District - Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-04-2019 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, 353, 307, 188, 283, 290, 435, 379 and 511 of the Indian Penal Code registered in connection with Narpatganj P.S. Case No. 397 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the first information report is against as many as 40 named and 160 unknown persons. The accusations are general and omnibus in nature without any specific accusation attributed to the petitioners. There is specific accusation of assault against co-accused persons, namely, Bishundeo Yadav, Shankar Yadav and Anant Yadav; and Brahmdeo Yadav, who have been granted anticipatory bail by this Court vide orders dated 09.10.2018 and 25.01.2019 passed in Cr. Misc. No. 56043 of 2018 and Cr. Misc. No. 3981 of 2019, respectively. 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 Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 397 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.

(Vikash Jain, J)

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