

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32042 of 2019

Arising Out of PS. Case No.-370 Year-2013 Thana- MAHARAJGANJ District- Siwan

1. RAMDHARI YADAV @ RAMDHARI PRASAD YADAV @ RAMADHARI YADAV Son of Late Devki Yadav Resident of Village - Falpura, P.S.- G.B. Nagar, Distt - Siwan.
2. Birendra Yadav Son of Ramdhari Yadav @ Ramdhari Prasad Yadav Resident of Village - Falpura, P.S.- G.B. Nagar, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 08-08-2019 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, 323, 324, 307, 504 of the Indian Penal Code registered in connection with Maharajganj (GB Nagar) P.S. Case No. 370/2013.

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. There is no accusation of assault whatsoever against petitioner no. 1, while the injuries sustained by reason of assault attributed to petitioner no. 2 is simple in nature. The petitioners are accused in one prior case instituted by the informant's side, in which they are on bail.

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 ACJM Vth, Siwan, in connection with Maharajganj (GB Nagar) P.S. Case No. 370/2013, 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.

(Vikash Jain, J)

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