

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29503 of 2019

Arising Out of PS. Case No.-128 Year-2018 Thana- CHANDAUTI District- Gaya

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1. Jitendra Yadav @ Lala Yadav (Male) aged about 40 years, son of Shivjatan Yadav @ Kail Yadav
 2. Upendra Yadav @ Jhuri Yadav @ Jhari Yadav (Male), aged about 35 years, Son of Shivjatan Yadav @ Kail Yadav
Both are residents of Village-Kandi Nawada, Police Station-Chandauti and District-Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Manish Kumar No. 2 Mr. Gajendra Kr. Singh, Advocates
For the Opposite Party	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 25-07-2019 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, 149, 447, 341, 323, 324, 325, 354, 307, 379, 504 and 506 of the Indian Penal Code registered in connection with Chandauti P.S. Case No. 128 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of the land dispute and the first information report is against as many as ten named accused persons. There is case and counter case between the parties. The accusations of assault are general and omnibus in nature without any specific accusation attributed to the petitioners individually. The injuries sustained by the informant's side are simple in nature. Similarly situated accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 14.02.2019 passed in Cr. Misc. No. 1813 of 2019. 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, Gaya in connection with Chandauti P.S. Case No. 128 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure 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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