

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67028 of 2018

Arising Out of PS. Case No.-299 Year-2018 Thana- BIHIA District- Bhojpur

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1. Dhanji Yadav S/o Late Lorik Yadav
 2. Raju Yadav S/o Dhanji Yadav R/o Village – Charghat, P.S. Bihiya (Bahoranpur), District -Bhojpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs. Rina Sinha, Advocate

For the Opposite Party : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 379, 307, 504 and 506/34 of the Indian Penal Code registered in connection with Bihiya P.S. Case No. 299 of 2018.

3. It is submitted that the petitioners have been falsely implicated on the backdrop of earlier Bihiya P.S. Case No. 245 of 2018 filed by the wife of Raju @ Rajan Yadav, son of petitioner no. 1. The thrust of accusation of assault is against Manotsh Yadav who is said to have assaulted with farsa resulting in head injury. The accusation of assault with lathis is general omnibus in nature and no specific injury has been attributed to any assault by the petitioners. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, 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 Additeional Chief Judicial Magistrate-V, Bhojpur at Ara in connection with Bihiya P.S. Case No. 299 of 2018, subject to the conditions as laid down under Section 438 (2) 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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