

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37529 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- SONO District- Jamui

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1. Baijnath Yadav, aged about 55 years (Male), Son of Late Raju Yadav
 2. Sakindra Yadav @ Rajendra Yadav @ Sakendra Yadav aged about 25 years (Male), Son of Baijnath Yadav, Both resident of Village-Chapari, P.S.-Sono, District-Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ankur Prakash Sinha, Advocate
For the Opposite Party : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-06-2019 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, 395, 364 and 307 of the Indian Penal Code, Section 27 of the Arms Act; and Section 17 of the C.L.A. Act registered in connection with Sono P.S. Case No. 214 of 2018.

3. It is submitted that the petitioners have been falsely implicated as the parties are neighbours and *Gotias*. It is further submitted that there is delay of about 5 days in filing the complaint on 18.05.2018 for the alleged occurrence of 13.05.2018 which was subsequently converted into an FIR bearing Sono P.S. Case No. 214 of 2018 under Section 156 of the Cr.PC. It is further submitted that even according to the complaint, the son of the informant was never carried away nor any injury has been caused to him. 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 them 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 Additional Chief Judicial Magistrate-1st, Jamui in connection with Sono P.S. Case No. 214 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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