

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38400 of 2019**

Arising Out of PS. Case No.-269 Year-2018 Thana- ALOULI District-
Khagaria

- =====
1. ANIL YADAV, Son of Ram Chandra @ Ram Chandra Yadav Resident of Village- Hathwan, P.S.- Allouli, District- Khagaria.
 2. Sunil Yadav Son of Ram Chandra @ Ram Chandra Yadav Resident of Village- Hathwan, P.S.- Allouli, District- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Mrityunjay Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Allouli P.S. Case No. 269 of 2018.

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. No firearm injury has been caused to anyone by reason of firing alleged against other co-accused persons Lakhendar Yadav and Chunnu Yadav. The accusations of assault against the petitioners and other persons are general and omnibus in nature. Most of the injuries are simple in nature save and except the injury sustained by Surendra Yadav on his finger being non-vital part of the body said to be grievous has not specifically been attributed to the



petitioners who 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Allouli P.S. Case No. 269 of 2018, 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) 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.

(Vikash Jain, J)

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