

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38085 of 2019**

Arising Out of PS. Case No.-48 Year-2016 Thana- GURUA District- Gaya
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1. RAJ KUMAR YADAV, aged about 52 years, male, Son of Mungeshwar Yadav Resident of Village - Kendua, P.S.- Gurua, District - Gaya.
2. Shankar Yadav, aged about 40 years, male, Son of Jagdeo Yadav Resident of Village - Kendua, P.S.- Gurua, District - Gaya.
3. Chandar Mistri, aged about 38 years, male, Son of Jagdish Mistri Resident of Village - Kendua, P.S.- Gurua, District - Gaya.
4. Subodh Singh, aged about 41 years, male, Son of Bahadur Singh Resident of Village - Kendua, P.S.- Gurua, District - Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party
=====

Appearance :

For the Petitioners : Md. Javed Jafar Khan, Advocate.

For the Opposite Party: APP
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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 26-06-2019 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, 341, 342, 323, 325, 307, 353, 379, 332, 333, 504, 506 and 283 of the Indian Penal Code registered in connection with Gurua P.S. Case No. 48 of 2016.

3. It is submitted that the petitioners have been falsely implicated and the F.I.R. is against as many as 57 named and 150 unknown persons. The accusations are general and omnibus in nature without any specific accusation attributed to the petitioners. It is stated in paragraph-12 of the anticipatory bail petition that other similarly situated co-accused persons Saryug Das, Arjun Das, Sanjay Das and Uttam Das have been granted



anticipatory bail by the learned Court below. The petitioners claims 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 Sub-Divisional Judicial Magistrate, Sherghati, Gaya in connection with Gurua P.S. Case No. 48 of 2016, 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 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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