

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42971 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- NARDIGANJ District- Nawada

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1. Trigun Yadav @ Trigun Prasad @ Tigun Prasad son of Late Hari Prasad
 2. Raj Kumar Yadav son of Ruplal Yadav
 3. Binod Yadav son of Ruplal Yadav
 4. Sudhir Yadav son of Khelawan Yadav
 5. Indal Yadav @ Subodh Yadav son of Sudhir Yadav
 6. Arun Yadav son of Ramjee Yadav
 7. Lallu Kumar son of Arun Yadav
 8. Mukesh Kumar @ Mukesh Yadav son of Binod Yadav
 9. Saryu Yadav @ Saryug Yadav son of Hari Yadav
 10. Ranjan Yadav @ Ranjan Kumar son of Musafir Yadav
 11. Munna Yadav son of Raj Kumar Yadav
 12. Rakesh Kumar son of Trigun Yadav
 13. Kaushal Yadav son of Late Mosafir Yadav

All are resident of village-Sandohara, PS, Nardiganj, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The learned counsel for the petitioners submits that
petitioner nos. 4 and 9 have been arrested and, as such, their
prayer for bail has rendered infructuous.

Accordingly, this application is dismissed as
infructuous with regard to petitioner nos. 4 and 9.

So far rest petitioners, who have been made
accused in connection with Nardiganj P.S. Case No. 93 of



2019, are seeking anticipatory bail in the said case registered for offence punishable under sections 147, 148, 149, 341, 323, 337, 353, 504 of the Indian Penal Code and 25 (1-b)A, 26, 27 and 35 of the Arms Act.

The police after receiving information that two groups were resorting violence against each other by using pelting stones and fire arms, went there whereupon a group of persons started misbehaving with the police party and some of them were arrested at the spot and they have informed that the petitioners were also engaged in brick batting but they fled away from there.

The learned counsel for the petitioners submits that there is no specific allegation made against these petitioners, but they have been named as person who fled away from the place of occurrence.

Looking to the entire facts and circumstances of the case, the prayer for bail of the petitioners, except petitioner nos. 4 and 9, is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class,



Nawada in connection with Nardiganj P.S. Case No. 93 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds. Whenever the Police will call the petitioners for the purpose of interrogation/investigation, they would present themselves, In case of failure on two consecutive dates, the prosecution will have liberty to make a prayer for cancellation of their bail before the court below.

(Shivaji Pandey, J)

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