

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43651 of 2019

Arising Out of PS. Case No.-449 Year-2016 Thana- BANKA District- Banka

1. ROHIT YADAV Son of Narayan Yadav Resident of Village - Bevri, P.S.- Katoriya, District- Banka
2. Rohit Yadav Son of Arjun Yadav Resident of Village - Ashmatori, P.S.- Katoriya, District- Banka
3. Ajay Yadav Son of Khiro Manjhi Resident of Village - Ambatikar, P.S.- Katoriya, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-07-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 3,4 and 5 of the Explosives Substance Act registered in connection with Banka P.S. Case No. 449 of 2016.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of family disputes as the parties are gotia. There is no eye-witness to the alleged occurrence nor any injury has been caused to anyone. The petitioners are the relatives of Umesh Yadav with whom the informant has land dispute. 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 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 CJM, Banka in connection with Banka P.S. Case No. 449 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 co-operate 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. 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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