

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42536 of 2019**

Arising Out of PS. Case No.-226 Year-2018 Thana- BELDOUR District-
Khagaria

- =====
1. SAJAN KUMAR YADAV, aged about 28 years, male, Son of Raghu Yadav Resident of Village - Dhadhi, P.S.- Beldour, Dist. - Khagaria.
 2. Niraj Kumar Yadav, male, aged about 30 years, Son of Bijendra Yadav Resident of Village - Dhadhi, P.S.- Beldour, Dist. - Khagaria.
 3. Pankaj Yadav, male, aged about 46 years, Son of Narayan Yadav Resident of Village - Dhadhi, P.S.- Beldour, Dist. - Khagaria.
 4. Rabin Yadav, aged about 60 years, male, Son of Late Ramcharan Yadav Resident of Village - Dhadhi, P.S.- Beldour, Dist. - Khagaria.
 5. Manoj Yadav, aged about 41 years, male, Son of Late Surendra Yadav Resident of Village - Dhadhi, P.S.- Beldour, Dist. - Khagaria.
 6. Sandeep Kumar Yadav, aged about 35 years, male, Son of Bijendra Yadav Resident of Village - Dhadhi, P.S.- Beldour, Dist. - Khagaria.
 7. Kunal Yadav @ Addition Yadav, male, aged about 25 years, Son of Kapildeo Yadav Resident of Village - Dhadhi, P.S.- Beldour, Dist. - Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Indrajit Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-07-2019

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Beldour P.S. Case No. 226 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 and in order to put pressure upon the petitioner. The accusations of carrying arms is general and omnibus except co-accused Bijendra Yadav who is said to have been armed with riffle. No injuries has been caused to



anyone and as such the accusation of firing is not corroborated. 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 Miss. Simmi Kujoor, learned Judicial Magistrate 1st Class, Khagaria in connection with Beldour P.S. Case No. 226 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 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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