

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74954 of 2018

Arising Out of PS. Case No.-287 Year-2018 Thana- GAYA MUFASIL District- Gaya

1. Sulesh Yadav and Sunil Yadav Son of Shivan Yadav
2. Bachan Yadav Son of Shivan yadav
3. Gore Lal Yadav Sonof Badri yadav
4. Saurabh Yadav Son of Goolab yadav
5. Chotu Paswan Son of Hari Paswan
6. Rambali Yadav Son of Lte Keoli Yadav All Resident of Village-Kharhari,P.S. Mufassil,P.O. Gaya,Distt.-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh
For the Opposite Party/s : Mr.Sri Madhuranand Jha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 13-03-2019 At the very outset, learned counsel for the petitioners, states that petitioner no. 4, namely, Saurabh Yadav, has since been arrested by the police and as such, his prayer for grant of anticipatory bail has become infructuous. Accordingly, he seeks permission to withdraw this petition.

2. As prayed, the anticipatory bail petition, as against petitioner no. 4, namely, Saurabh Yadav, is permitted to be withdrawn and stands dismissed as such.

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

4. Petitioner nos. 1, 2, 3, 5 and 6 apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 307 of the Indian Penal Code registered in connection with Gaya Mufassil P.S. Case No. 287 of 2018.

5. It is submitted that the petitioners have been falsely



implicated due to village politics. There is general and omnibus allegation against the petitioners and no specific accusation of assault is attributed to them individually. Injuries resulting from the assault alleged against the petitioners are simple in nature.

6. Be that as it may, in the event of the arrest or surrender of petitioner nos. 1, 2, 3, 5 and 6 before the court below within six weeks from the date of communication of this order, let them be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Gaya Mufassil P.S. Case No. 287 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) 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.

(iv) 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.

BT/-

(Vikash Jain, J)

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