

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48949 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- BRAHMPUR District- Buxar

1. AKHILESH YADAV @ AKHILESH KUMAR YADAV Son of Bijay Yadav Resident of Village - Thakur Dayal Singh Ke Tola, P.S.- Brahmpur (Krishnabrahm), Dist.- Buxar.
2. Dadan Yadav Son of Late Shri Bhagwan Yadav Resident of Village - Thakur Dayal Singh Ke Tola, P.S.- Brahmpur (Krishnabrahm), Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Brahmpur (Krishnabrahm) P.S. Case No. 178 of 2019, disclosing offences under Sections 147, 148, 149, 341, 323 and 307 of the Indian Penal Code, including Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that evidently there was previous enmity between the informant and the family of the persons named in the FIR. Though, there is allegation against petitioner no.1 of having opened fire, it is evident from the FIR itself that the said fire was made in the air.

Considering the nature of allegation of assault against



the persons named in the FIR and the fact that a case counter was also lodged, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Brahmpur (Krishnabrahm) P.S. Case No. 178 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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