

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49422 of 2019

Arising Out of PS. Case No.-239 Year-2017 Thana- KONCH District- Gaya

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1. LALBABU KUMAR @ LAL BABU YADAV Son of Ram Lakhan Yadav Resident of Village - Salaune Bigha, P.S.- Konch, Distt - Gaya.
 2. Ramashish Yadav Son of Late Manuk Yadav Resident of Village - Salaune Bigha, P.S.- Konch, Distt - Gaya.
 3. Santosh Yadav Son of Dr. Rajendra Yadav Resident of Village - Salaune Bigha, P.S.- Konch, Distt - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Karn
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 147, 148, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Konch P.S. Case No. 239/2017.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties as they are agnates. Injury sustained in the free fighting between the parties are simple in nature. After due investigation charge sheet was submitted by the police only on bailable penal Sections, but cognizance has been taken under Section 307 and other Sections of the Indian Penal Code. 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 ACJM-III, Gaya, in connection with Konch P.S. Case No. 239/2017, 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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