

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52947 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

1. RAM KESHWAR YADAV Son of Late Devan Yadav Resident of Village-Orbigha, P.S.- Makhdumpur, District- Jehanabad.
2. Vinod Yadav Son of Ram Keshwar Yadav Resident of Village- Orbigha, P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.R.P.Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-08-2019 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, 325, 307, 461, 379, 504, 506/34 of the Indian Penal Code registered in connection with Makhdumpur P.S. Case No. 140 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty disputes. The present FIR has been lodged belatedly on 25.03.2019 for the alleged occurrence of 21.03.2019 and that too in retaliation of Makhdumpur P.S. Case No. 128/2019 lodged by the petitioners on 22.03.2019 itself. It is submitted that there is no accusation of assault or theft whatsoever against the present petitioners and in any event the injuries are simple in nature. 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 SDJM, Jehanabad, in connection with Makhdumpur P.S. Case No. 140 of 2019, 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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