

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54303 of 2019

Arising Out of PS. Case No.-230 Year-2019 Thana- BAHERA District- Darbhanga

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1. Hari Mohan Yadav aged about 35 years (M)
 2. Tarun Mohan aged about 32 years (M)
Both are sons of Mahesh Kant Yadav
 3. Dinesh Yadav @ Dinesh Prasad Yadav aged about 50 years (M) Son of Late Prameshwar Yadav
All are resident of Village - Kopi Maharaji, P.S.- Biraul, District- Darbhanga

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ajay Kumar, Advocate
For the Opposite Party : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 149, 341, 323, 307, 385, 379, 324, 427, 447 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Bahera P.S. Case No. 230 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of political rivalry between two groups belonging to different political parties. It is submitted that accusations have been made against as many as 32 named accused persons and 200 unknown. Petitioner no. 1 is said to have fired but there is no corresponding injury caused to anyone. Petitioner nos. 2 and 3 are said to have assaulted Praveen Kumar (the brother of the informant) and Anirudh Yadav with farsa on their head but in any event, injuries sustained by them 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur, District Darbhanga in connection with Bahera P.S. Case No. 230 of 2019, 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.

(Vikash Jain, J)

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