

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52883 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- MAGADH UNIVERSITY District- Gaya

1. MANOJ YADAV @ MANOJ KUMAR S/o Suresh Yadav @ Suresh Yadav
Resident of Village- Jindapur, P.S.- Magadh University, District- Gaya.
2. Chandradeep Singh @ Popat Singh S/o Balam Singh @ Rajbalabh Singh
Resident of Village- Jindapur, P.S.- Magadh University, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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 147, 148, 149, 323, 353, 427, 435 of the Indian Penal Code, Section 72 of the Police Act, 2007 and Section 4 of the Prevention of Damage to Public Property Act, 1984 registered in connection with Magadh University P.S. Case No. 25/2019.

3. It is submitted that the petitioners have been falsely implicated and the FIR is against as many as nine named and 100-140 unknown persons and the petitioners are not named in the FIR. The petitioners merely happened to be in the vicinity and the accusations are general and omnibus in nature without any specific accusation attributed to the petitioners. The petitioners' case stand on better footing than that of the FIR named accused persons, who have been granted anticipatory bail by this Court in Cr. Misc. No. 41482 of 2019. 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 IX, Gaya, in connection with Magadh University P.S. Case No. 25/2019, 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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