

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80574 of 2018

Arising Out of PS. Case No.-284 Year-2016 Thana- ALOULI District-
Khagaria

- =====
1. Sahdeo Yadav Son of Bajo Yadav.
 2. Surtilal Yadav son of Khalthu Yadav.
 3. Sikendra Yadav son of Sahdeo Yadav.
 4. Makindar Yadav son of Sahdeo Yadav.
 5. Jitendra Yadav son of Sahdeo Yadav.
 6. Ram Niwas Yadav son of Jagdeo Yadav.
 7. Jagdeo Yadav @ Jagdeo, son of Bajo Yadav,
- All are resident of Village- Roun, P.S.- Allouli, District- Khagaria.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Praveen Kumar Agrawal, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-01-2019 Learned counsel for the petitioner states that the petitioner no. 6 has been arrested and as such the anticipatory bail petition of petitioner no. 6 has become infructuous and seeks permission to withdraw the same.

2. The anticipatory bail petition of petitioner no. 6 stands dismissed as withdrawn.

3. The petitioner nos. 1, 2, 3, 4, 5 and 7 apprehend their arrest for the offences alleged under Sections 341, 323, 307, 504, 506, 379/34 of the Indian Penal Code registered in connection with Allouli P.S. Case No. 284 of 2016.

4. It is submitted that the petitioners have been falsely implicated and the parties are *gotiya* and except petitioner no. 1 who is said to have assaulted the informant with *lathi*. The accusation of assault against the remaining petitioners are



general and omnibus in nature. It is submitted that in any event the injuries are all simple in nature. The petitioners claim clean antecedents.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner nos. 1, 2, 3, 4, 5 and 7 arrest or surrender before the court below within six weeks from the date of communication of this order, let them 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 Chief Judicial Magistrate, Khagaria in connection with Alouli P.S. Case No. 284 of 2016, 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(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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