

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80416 of 2018

Arising Out of PS. Case No.-494 Year-2018 Thana- BARACHATTI District- Gaya

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1. Suresh Yadav Son of Late Dulli Yadav
 2. Shyamdeo Yadav, Son of Late Dulli Yadav
Both are Resident of village-Kauthatia, Tola-Jhanjhi P.S.-Barachatti,
District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr.Sri Anuj Kumar Srivastava (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 14-03-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail
registered for the offences punishable under Sections 341, 323,
308, 363, 365/34 of the Indian Penal Code.

Informant has alleged that on 21.07.2018 at about 8
A.M., while she was tying her cattle all of sudden petitioners
came and started abusing and threatened to kill her. In the
mean time her son Mukesh Kumar tried to rescue her then he
was also assaulted and dragged and abducted by both of them
and since then he could not be traced even after much search.

It has been submitted on behalf of the petitioners
that they are innocent and have committed no offence. They



have been falsely implicated in this case due to land dispute. Informant and petitioners are agnate and close relatives. During investigation witnesses have not supported allegation of abduction. F.I.R. was also lodged after two days. Petitioners have no criminal antecedent and are in custody since 24.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Barachatti P.S. Case No. 494 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.



(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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