

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58570 of 2019

Arising Out of PS. Case No.-188 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Santosh Yadav Son of Pujan Yadav Resident of Village - Chhajjupur, P.S.- Durgawati, Distt - Kaimur (Bhabua).
2. Anil Yadav Son of Pujan Yadav Resident of Village - Chhajjupur, P.S.- Durgawati, Distt - Kaimur (Bhabua).
3. Amit Yadav Son of Manu Yadav Resident of Village - Chhajjupur, P.S.- Durgawati, Distt - Kaimur (Bhabua).
4. Praduman Yadav Son of Manu Yadav Resident of Village - Chhajjupur, P.S.- Durgawati, Distt - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in **Durgawati P.S. Case No. 188 of 2019**, registered for the offences punishable under Sections 341, 323, 307, 379 and 34 of the Indian Penal Code.

The informant alleged that on 02.07.2019 at 5.00 p.m. while he was purchasing vegetables, all the accused persons variously armed, surrounded him and started assaulting him. Santosh Yadav (petitioner no. 1) is alleged to have assaulted



with iron rod on the head of informant, as a result of which, he fell down on the ground. Amit Yadav (petitioner no. 3) is alleged to have snatched cash of Rs. 1500/- from the pocket of informant.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners have falsely been implicated in this case. There is case and counter case. From injury report, it appears that three injuries are found on the person of informant. Out of which, opinion is kept reserved regarding injury no. 3, by the doctor. Petitioner nos. 1, 2 and 4 have got clean antecedent. Petitioner no. 3 is accused in one case, in which he is on bail.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Kaimur (Bhabua)** in connection with **Durgawati P.S. Case No. 188 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further



conditions:-

(i) The 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 the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper 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.

(Prabhat Kumar Singh, J)

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