

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67357 of 2019

Arising Out of PS. Case No.-222 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. ANGAD YADAV Son of Late Balo Yadav Resident of Village - Naya Tola Sahebpur Kamal, P.S.- Sahebpur Kamal, Dist.- Begusarai.
 2. Shankar Yadav Son of Late Ram Kishun Yadav Resident of Village - Naya Tola Sahebpur Kamal, P.S.- Sahebpur Kamal, Dist.- Begusarai.
 3. Piyush Yadav son of Kantu Ray Resident of Village - Raghunathpur, P.S.- Sahebpur Kamal, Dist.- Begusarai.
 4. Chhabu Yadav Son of Ravindra Ray @ Ravindra Yadav Resident of Village - Raghunathpur, P.S.- Sahebpur Kamal, Dist.- Begusarai.
 5. Sanni Yadav Son of Botal Ray Resident of Village - Raghunathpur, P.S.- Sahebpur Kamal, Dist.- Begusarai.
 6. Shah Isatiyarkur Rahman @ Shah Istakhur Rahman Son of Late Shah Jillu Rahman @ Late Jillur Rahman Resident of Village - Lakhminia, P.S.- Ballia, Dist.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-11-2019 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, 341, 323, 307, 354(B), 504 and 506 of the Indian Penal Code, including Section 27 of the Arms Act, registered in connection with S.Kamal P.S.Case No. 222 of 2019.

3. It is submitted that the petitioners have been falsely



implicated in the backdrop of land dispute between the parties. The accusation of firing by the petitioners is general and omnibus and in any event not corroborated in absence of any injury report as no one has sustained injury. The omnibus accusation under Section 354 IPC is mere embellishment. The petitioner nos. 2 to 6 claim clean antecedents, while the petitioner no.1 is accused in one prior case in which he is on bail.

4. Be that as it may, in the event of petitioners' arrest or surrender before 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 the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with S.Kamal P.S.Case No. 222 of 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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