

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74972 of 2018

Arising Out of PS. Case No.-64 Year-2016 Thana- BASANHI District- Saharsa

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1. Rupesh Yadav @ Rupak Yadav
 2. Deepak Yadav @ Mohan Kumar
- Both Sons of Krish Yadav, Resident of Village-Baraith, P.S. Basnahi, District Saharsa

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs. Rashmi Jha, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 31-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 504, 34 of the Indian Penal Code registered in connection with Basnahi P.S. Case No. 64 of 2016.

3. It is submitted that the petitioners have been falsely implicated as the accusation of assault is general and omnibus in nature without specific injury being attributed individually. It is further submitted that the first information report has been instituted in the backdrop of a petty dispute and in any event, the injuries are simple in nature. 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) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Saharsa in connection with



Basnahi P.S. Case No. 64 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That 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.

(iv) That 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.

BT/Chandran

(Vikash Jain, J)

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