

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68479 of 2019**

Arising Out of PS. Case No.-185 Year-2019 Thana- PAKARIBARAW District- Nawada

1. Suraj Yadav, Son of Arjun Yadav
 2. Prakash Yadav, Son of Late Balchand Yadav
 3. Dablu Yadav, Son of Late Buni Yadav
 4. Sakaldev Yadav, Son of Arjun Yadav
 5. Sikandar Yadav @ Sakindra Yadav, Son of Harchan Yadav
 6. Sahind Yadav @ Sahindra Yadav @ Sahind, Son of Late Bhago Yadav
- All are Resident of Village - Bari Gulni, P.S.- Dhamoul, District- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 17-12-2019 At the outset, learned counsel for the petitioners submits that the petitioner nos.1 and 3 have already been arrested during pendency of this application, therefore this application in so far as it relates to them has become infructuous.

In the aforesaid view of the matter, let the present application with respect to petitioner no.1 namely Suraj Yadav and petitioner no.3 Dablu Yadav be dismissed as withdrawn. Now it survives only in respect of petitioner nos.2, 4, 5 and 6.

Heard learned counsel for the petitioners and learned



APP for the State.

The petitioners in this case are seeking anticipatory bail in connection with Pakribarawan (Dhamoul) P.S. Case No.185 of 2019 registered for the offences punishable under Sections 147, 148, 149, 307, 387, 325, 341, 379 and 354(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that there is no specific allegation of any assault against these petitioners.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners not controverted by learned APP for the State that so far as these remaining petitioners are concerned, there is no specific allegation against them of causing any assault on any vital part of the body and the allegations that all of them had been involved in assaulting by lathi is not substantiated from the injury report present on the record which do not show multiple injuries on the body of the injured and Mithu against whom there is specific allegation is not before this Court as also that



Bablu Yadav is also not before this Court, let the petitioner nos.2, 4, 5 and 6 in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Nawada in connection with Pakribarawan (Dhamoul) P.S. Case No.185 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

arvind/-

(Rajeev Ranjan Prasad, J)

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