

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67433 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- ALOULI District- Khagaria

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1. PANKAJ YADAV Son of Ramjee Yadav Resident of Village - Raun, P.S. - Alauli, District - Khagaria.
 2. Arun Yadav Son of Ramjee Yadav Resident of Village - Raun, P.S. - Alauli, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-11-2019 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, 148, 341, 323, 307/504 of the Indian Penal Code registered in connection with Alauli P.S. Case No. 11/2019.

3. It is submitted that the petitioners have been falsely implicated and the petitioners are not named in the FIR, rather their name has transpired in course of investigation. The main assailant is said to be co-accused Birwal Yadav who is said to have fired and injured Narayan Singh. The case of the petitioners stand on better footing than that of the FIR named co-accused persons who have been granted anticipatory bail by this Court in Cr. Misc. No. 22035/2019. 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) each with two sureties of like amount each to the satisfaction of



learned CJM, Khagaria, in connection with Alauli P.S. Case No. 11/2019, 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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