

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73618 of 2018

Arising Out of PS. Case No.-127 Year-2018 Thana- KAMTAUL District- Darbhanga

1. Phulo Yadav S/o Late Vishwamohan Yadav,
 2. Dipak Yadav @ Dipak Kumar, S/o Madan Yadav,
 3. Anmol Yadav, S/o Late Gudari Yadav,
 4. Madan Yadav, S/o Late Bhaiji Yadav,
- All R/o Village- Dudhiya, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Manoj Kumar, Mr. Pankaj Kumar Das, Advocates
For the State	:	Mr. Ataur Rahman, APP
For the Informant	:	Mr. Sanjeev Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506, 379, and 427 of the Indian Penal Code registered in connection with Kamtaul P.S. Case No. 127 of 2018.

3. It is submitted that the petitioners have been falsely implicated as the accusation against them is general and omnibus in nature and in any event injuries are simple in nature. It is further submitted that the first information report has been instituted belatedly on 21.05.2018 for the alleged occurrence of 18.05.2018. Similarly situated accused persons, namely, Indradeo Yadav, Ashok Yadav, Raushan Yadav, Amit Yadav @ Anit Kumar Yadav @ Anit Yadav and Santosh Yadav have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 28.09.2018 passed in Cr. Misc. No. 59820 of 2018. The petitioners claim clean antecedents.



4. Learned APP assisted by learned counsel for the informant appearing suo motu has been heard.

5. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 127 of 2018, 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) 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.

(Vikash Jain, J)

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