

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78147 of 2018

Arising Out of PS. Case No.-303 Year-2018 Thana- GOGRI District- Khagaria

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1. Mani Yadav, S/o Rohin Yadav,
 2. Raja Yadav S/o Beda Yadav @ Bedanand Yadav, null
 3. Puro Yadav S/o Jagdish Yadav,
 4. Paddu Yadav S/o Late Bhupi Yadav,
 5. Tuntun Yadav S/o Godo Yadav, All R/o Vill.- Bhuria Diyara, P.S.- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-01-2019 At the very outset, learned counsel for the petitioners submitted that petitioner no.1 is arrested.

In such view of the matter, this application against petitioner no.1 is dismissed as become infructuous.

This is an application for grant of anticipatory bail in connection with Gogri P.S. Case No. 303 of 2018, disclosing offences under Sections 147, 148, 149, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that an information was received to the S.H.O. that indiscriminate firing is going on between two groups and on that information the police party reached the place of occurrence and arrested two accused



persons and the petitioners are named in the F.I.R. It further appears that petitioner no.5 is accused in two other cases.

Submission of learned counsel for the petitioners is that no specific allegation has been attributed against any of the petitioners and so far petitioner no.5 is concerned, he is on bail in other cases.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances as stated above, so far petitioner no.5 is concerned, I am not inclined to grant anticipatory bail to him, rather he should surrender before the learned court below within a period of six weeks and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court, if possible on the same day.

So far petitioner nos.2 to 4 are concerned, this application is allowed. Let petitioner nos. 2 to 4, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Gogri P.S. Case No. 303 of 2018, subject to the condition laid down under



Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that they will cooperate in investigation of this case and will appear as and when required by the police, otherwise their bail bonds shall be cancelled.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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