

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8360 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- KIUL District- Lakhisarai

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1. ARBIND YADAV @ ARBIND KUMAR S/o Rajo Yadav Resident of Village- Bannu Bagicha, P.S.- Chanan, Distt- Lakhisarai.
 2. Gardo Yadav @ Shiv Balak Yadav S/o Sita Ram Yadav Resident of Village- Lakchochak, P.S.- Kiul, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-02-2020 Heard learned Counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in Kiul PS Case No. 37 of 2019 registered under Sections 147, 148, 149, 341, 323, 307, 337, 427, 353, 504, 506 IPC and under Section 3 of the Prevention of Damage to Public Property Act 1984.

As per prosecution case tractor loaded with sand was intercepted. It is thereafter alleged that some unknown persons attacked the police party and damaged the police vehicle. On identification the Chaukidar is said to have named total number of 30 – 40 persons, out of which as per petitioners' counsel submission at least five persons have since been granted the privilege of anticipatory bail in the proceeding arising out of Cr. Misc. Nos. 70160 of 2019 and 65877 of 2019.

Petitioners counsel submits that the petitioners are also one of suchy persons named on alleged identification by the Chaukidar and are entitled to parity.

Learned APP has opposed the prayer for bail.



Considering the rival submissions this Court is inclined to accept the submission on behalf of the petitioner. The prayer is allowed.

In the event of arrest or surrender before the court below within four weeks from today, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Lakhisarai in Kiul PS Case No. 37 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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