

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 8387 of 2020

Arising Out of PS. Case No.-452 Year-2019 Thana- RAHUI District- Nalanda

1. UMESH YADAV @ UMESH MAHTO Son of Late Ramhari Mahto Resident of Village - Khaje Etwar Sarai, P.S.- (Rahui) Bhaganbigha, District- Nalanda
2. Niket Yadav @ Monu Yadav Son of Umesh Yadav Resident of Village - Khaje Etwar Sarai, P.S.- (Rahui) Bhaganbigha, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranvijay Singh
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

Petitioners apprehend their arrest in connection with Rahui (Bhaganbigha) Police Station (for brevity, *PS*) Case No 452 of 2019 instituted for the offence punishable under Section (s) 147, 148, 149, 341, 323, 379, 354, 307, 448, 504 of Indian Penal Code and Section 27 of Arms Act.

Allegation is that the petitioners have entered into the house of the informant with the intention of committing dacoity and looted some articles. They have also alleged to have assaulted the informant. However, there is no injury report of the informant. Petitioners' counsel submits that the prosecution



is counterblast to Rahui (Bhaganbigha) PS Case No 454 of 2019, earlier lodged by wife of petitioner No 1. It is submitted that the petitioners have falsely been implicated in this case and that there is no criminal antecedent of the petitioners.

In the facts and circumstances of the case, prayer of petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the Court below, within four (04) weeks from today, they shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rahui (Bhaganbigha) PS Case No 452 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

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

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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