

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14170 of 2020

Arising Out of PS. Case No.-216 Year-2019 Thana- BAKHTIARPUR District- Saharsa

1. AVREN YADAV @ AMRENDRA KUMAR Son of Jai Kishun Yadav Resident of Village - Salkhua (Navtoliya), P.S.- Salkhua, District - Saharsa.
2. Santosh Yadav @ Santosh Kumar Yadav Son of Raghupati Yadav Resident of Village - Salkhua (Navtoliya), P.S.- Salkhua, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-09-2020 Heard the learned counsel for the petitioners and Sri Ashok Kumar, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Bakhtiarpur (Balwahat O.P.) P.S. Case No. 216 of 2019 registered for the offence punishable under Sections 341, 323, 308, 504, 379 and 34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having abused and assaulted the informant and his mother as also having looted cash and ornaments.



The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. It is further submitted that the injury report would bear out that the injuries inflicted on the injured persons are simple in nature.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available in the case diary, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail, however, subject to certain conditions.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten



thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Saharsa in connection with Bakhtiarpur (Balwahat O.P.) P.S. Case No. 216 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station at 10:00 am. on each Monday of the week and in the event of two consecutive defaults, the present privilege of the anticipatory bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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