

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74648 of 2019

Arising Out of PS. Case No.-597 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Jadu Yadav Son of Late Mohan Yadav Resident of Village- Gopalpur, Tola, Udham Bigha, P.S.- Sherghati, District- Gaya.
 2. Sanju Yadav @ Sanjud Yadav Son of Namedhari Yadav Resident of Village- Gopalpur, Tola, Udham Bigha, P.S.- Sherghati, District- Gaya.
 3. Dinesh Yadav Son of Munarik Yadav Resident of Village- Gopalpur, Tola, Udham Bigha, P.S.- Sherghati, District- Gaya.
 4. Ganesh Yadav @ Ganesh Kumar Son of Munarik Yadav @ Mundrika Gop @ Mundrika Yadav Resident of Village- Gopalpur, Tola, Udham Bigha, P.S.- Sherghati, District- Gaya.

... .. Petitioners

Versus

1. The State Of Bihar
2. Jagesar Singh Son of Late Keshwar Singh Resident of Village- Gopalpur, Tola, Udham Bigha, P.S.- Sherghati, District- Gaya

.. ... Opposite Parties

Appearance :

For the Petitioners : Mr.Md. Javed Jafar Khan, Advocate
For the Opposite Party : Mr.Sanjay Kumar Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 323, 354/380 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case as earlier also the same informant had filed one another case of similar nature against the petitioners. He submits that there is no injury report on the record to substantiate the allegation of assault by the petitioners and section 354/380 Indian Penal Code appears to be super addition. Petitioners are neighbour and no such



offence took place between the parties.

Considering the facts of the case, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Sherghati Gaya in Complaint case no. 597 of 2018, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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