

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76432 of 2019**

Arising Out of PS. Case No.-350 Year-2019 Thana- BRAHMPUR District- Buxar

1. Jay Nath Yadav, S/o Late Lakshman Yadav
 2. Ramashankar Yadav, S/o Shriram Yadav
 3. Shriram Yadav, S/o Late Bal Govind Yadav @ Bokal Yadav
 4. Sahjanand Yadav, S/o Lae Chhiteshwar Yadav
- All are R/o village- Nainijor Prabodhpur Dera, P.S.- Nainijor, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashwini Kumar Rai, Adv.
For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP
For the Informant : Mr. Vijay Shankar Upadhyay, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioners and learned
APP for the State as well as informant.

The petitioners in this case are seeking anticipatory bail in connection with Brahmpur (Nainijor) P.S. Case No.350 of 2019 registered for the offences punishable under Sections 436, 429 and 427/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that in fact the petitioners' side has suffered loss in the alleged occurrence and in the panchayati the petitioners were held entitled to get compensation.



Learned APP for the State as well as learned counsel for the informant are present and have opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein the FIR in question has been lodged three months after the alleged occurrence and so far as these petitioners are concerned, they have no criminal antecedent and the informant as well as petitioners' side are said to be the co-villagers having land dispute, let the petitioners in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Brahmpur (Nainijor) P.S. Case No.350 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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