

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80721 of 2019

Arising Out of PS. Case No.-263 Year-2019 Thana- GRIYAK District- Nalanda

1. LALU YADAV @ LALLU YADAV Son of Binek Yadav @ Bhek Yadav Resident of Village - Barchhi Bigha, Police Station- Giriyak, District - Nalanda.
2. Munna Yadav Son of Binek Yadav @ Bhek Yadav Resident of Village - Barchhi Bigha, Police Station- Giriyak, District - Nalanda.
3. Bhajju Yadav Son of Dodan Yadav Resident of Village - Barchhi Bigha, Police Station- Giriyak, District - Nalanda.
4. Saryug Yadav Son of Dodan Yadav Resident of Village - Barchhi Bigha, Police Station- Giriyak, District - Nalanda.
5. Kundan Kumar son of Bhajju Yadav Resident of Village - Barchhi Bigha, Police Station- Giriyak, District - Nalanda.
6. Shital Kumar Son of Karu Yadav Resident of Village - Barchhi Bigha, Police Station- Giriyak, District - Nalanda.
7. Pramod Yadav Son of Saryug Yadav Resident of Village - Barchhi Bigha, Police Station- Giriyak, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhoy Kumar Kashyap
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 324 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

According to F.I.R., petitioners Bhajju Yadav,



Saryug Yadav, Kundan Kumar and Shital Kumar allegedly caused fire arm injury to Prabhat Yadav and Kaushal Yadav.

Submission is that land dispute is the reason behind the occurrence and doctor has found simple injury on the person of the injured.

Considering the nature of allegation against the petitioners Bhajju Yadav, Saryug Yadav, Kundan Kumar and Shital Kumar, I am not inclined to enlarge them on anticipatory bail in connection with Giriyak P.S. Case No. 263 of 2019 pending in the Court of learned Chief Judicial Magistrate, Nalanda at Biharsharif.

Their prayer for anticipatory bail is refused.

Petitioners Lalu Yadav, Munna Yadav and Pramod Yadav carries no such specific allegation, hence let the aforesaid petitioners, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Giriyak P.S. Case No. 263 of 2019, subject to the condition as laid down under Section 438 (2) of



the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(c) The petitioners shall not leave the country without permission of the trial Court.

With the aforesaid observation, this application is partly allowed and partly dismissed.

(Birendra Kumar, J)

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