

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.109 of 2020

Arising Out of PS. Case No.-342 Year-2019 Thana- SHEKHPURA District- Sheikhpura

1. Sanju Yadav @ Sanjay Yadav Son of Bishuni Yadav Resident of Village- Barui, P.S. and District- Sheikhpura.
2. Upendra Yadav Son of Bishuni Yadav Resident of Village- Barui, P.S. and District- Sheikhpura.
3. Rajesh Yadav Son of Bishuni Yadav Resident of Village- Barui, P.S. and District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2020 Learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no.3.

Permission is accorded.

Accordingly, the application is dismissed as withdrawn as against petitioner no.3.

Heard learned counsel for the parties.

Petitioner nos.1 and 2 apprehend their arrest in a case registered for the offence punishable under sections 341, 323, 307, 379, 504, 506 and 34 of the I.P.C.

It has been submitted on behalf of the petitioners that petitioners have falsely been implicated in this case merely on the basis of land dispute. It has further been submitted that the



allegation against the petitioners is general and omnibus in nature. The petitioners have no criminal antecedent.

Learned counsel for the opposite party opposes the prayer for bail of the petitioners and submits that specific allegation is against these petitioners.

In view of the specific allegation against petitioner no.2 and the fact that specific allegation against Upendra Yadav (petitioner no.2) of causing grievous injury and one of the injuries found to be serious, the prayer for bail of petitioner no.2 is refused.

Accordingly, this application for bail is rejected.

So far as petitioner no.1 is concerned, considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 342 of 2019, on the following conditions:-

- (1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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