

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37189 of 2019**

Arising Out of PS. Case No.-639 Year-2008 Thana- NAWADAH
COMPLAINT CASE District- Nawada

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1. Upendra Yadav Son of Late Basudeo Yadav Resident of Village-Chongwa, Sokhodewara, P.S.-Kowakole, District-Nawada.
 2. Rambriksha Yadav Son of Late Jagdish Yadav Resident of Village-Chongwa, Sokhodewara, P.S.-Kowakole, District-Nawada.
 3. Mahendra Yadav Son of Late Jagdish Yadav Resident of Village-Chongwa, Sokhodewara, P.S.-Kowakole, District-Nawada.
 4. Surendra Yadav Son of Late Baldeo Yadav Resident of Village-Chongwa, Sokhodewara, P.S.-Kowakole, District-Nawada.
 5. Bhupendra Yadav Son of Late Basudeo Yadav Resident of Village-Chongwa, Sokhodewara, P.S.-Kowakole, District-Nawada.
 6. Sudhir Yadav Son of Surendra Yadav Resident of Village-Chongwa, Sokhodewara, P.S.-Kowakole, District-Nawada.
 7. Ranjit Yadav Son of Surendra Yadav Resident of Village-Chongwa, Sokhodewara, P.S.-Kowakole, District-Nawada.
 8. Fantuswa Son of Rambriksha Yadav Resident of Village-Chongwa, Sokhodewara, P.S.-Kowakole, District-Nawada.

... .. Petitioners

Versus

1. The State of Bihar
2. Sheetal Yadav S/o Late Baudhu Yadav Resident of Village-Chongwa, P.S.-Kawakole, District-Nawada.

... .. Opposite Parties

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Appearance :

For the Petitioners : Mr. Niraj Kumar, Advocate
For the State : Mr. Sanjay Kumar Pandey, APP
For the O.P. No. 2 : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 01-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the
offences alleged under Sections 147, 148, 149, 341, 380, 384 of



the Indian Penal Code registered in connection with Complaint Case No. 639 of 2008.

3. Learned counsel for the petitioners makes a statement at the Bar on instruction that the petitioners could not comply with the order dated 19.06.2019 by which they were granted provisional anticipatory bail, owing to communication gap with their counsel.

4. It is submitted that the petitioners have been falsely implicated in a complaint case, in the backdrop of petty dispute relating to the petitioners' claim for payment of wage for ploughing the land of the accused persons which was being denied. The petitioners claim clean antecedents.

5. Despite valid service of notice on the opposite party no. 2, appearance has not been entered nor is he represented when the matter is called.

6. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Nawada in connection with Complaint Case No. 639 of 2008, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further



conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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