

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45773 of 2021

Arising Out of PS. Case No.-83 Year-2015 Thana- MIRGANJ District- Gopalganj

1. Jagdish Yadav S/O Late Chandradev Yadav Resident of Badheya Tola Barauli, P.S.- Mirganj, District- Gopalganj
2. Ramashanker Yadaav S/o Late Surendra Yadav Resident of Badheya Tola Barauli, P.S.- Mirganj, District- Gopalganj
3. Harishanker Yadav S/o Late Surendra Yadav Resident of Badheya Tola Barauli, P.S.- Mirganj, District- Gopalganj
4. Sanjay Yadav S/o Jagdish Yadav Resident of Badheya Tola Barauli, P.S.- Mirganj, District- Gopalganj
5. Ajeet Yadav S/o Umashanker Yadav Resident of Badheya Tola Barauli, P.S.- Mirganj, District- Gopalganj
6. Ajay Yadav S/o Umashanker Yadav Resident of Badheya Tola Barauli, P.S.- Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr.Baijnath Sah, Advocate
For the Opposite Party : Mr.Anant Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-04-2022 Learned counsel for the petitioners is permitted to make necessary corrections in the prayer portion of the bail application.

Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned APP for the State.



The petitioners apprehend their arrest in connection with Mirganj P.S. Case No.83 of 2015 registered for offences under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code.

Paragraph nos. 10 & 10 of the bail application are quoted hereinbelow:-

“10. That after completion of investigation of case, I.O. has submitted charge sheet under Section 307 IPC and other allied sections of IPC so petitioners apprehended (sic) that learned lower court may take into custody to petitioners if they surrender before learned lower court.

10. That the privilege granted under section (41) Cr.p.c. lost its life span after filing of charge sheet.”

Considering the aforesaid facts, the application for anticipatory bail is allowed.

Accordingly, let petitioners, above-named, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II, Gopalganj in connection with Mirganj P.S. Case No.83 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

While accepting the bail bonds of the petitioners, the



court below will verify the fact as to whether final form has been submitted under Section 307 of the IPC and if final form was submitted under Section 307 of the IPC then their bail bonds shall be accepted. If it is found that the petitioners have been charge-sheeted under section 307 of the IPC then they will be taken into custody forthwith.

With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

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