

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55412 of 2021

Arising Out of PS. Case No.-134 Year-2021 Thana- SAHPUR District- Bhojpur

1. Ram Bhajan Yadav Son Of Late Shiv Pravesh Yadav Resident Of Village- Marchaiya Dera, P.S. Shahpur, District- Bhojpur
2. Shankar Yadav Son Of Late Shiv Pravesh Yadav Resident Of Village- Marchaiya Dera, P.S. Shahpur, District- Bhojpur
3. Jai Ram Yadav Son Of Late Shiv Pravesh Yadav Resident Of Village- Marchaiya Dera, P.S. Shahpur, District- Bhojpur
4. Jai Bhagwan Yadav Son Of Late Shiv Pravesh Yadav Resident Of Village- Marchaiya Dera, P.S. Shahpur, District- Bhojpur
5. Radha Krishna @ Kishu Yadav @ Kishun Yadav Son Of Amavash Yadav Resident Of Village- Marchaiya Dera, P.S. Shahpur, District- Bhojpur
6. Jai Kishun Yadav Son Of Amavash Yadav Resident Of Village- Marchaiya Dera, P.S. Shahpur, District- Bhojpur
7. Jai Narain Yadav @ Jagnarain Yadav Son Of Jai Ram Yadav Resident Of Village- Marchaiya Dera, P.S. Shahpur, District- Bhojpur
8. Manager Yadav Son Of Hare Ram Yadav Resident Of Village- Marchaiya Dera, P.S. Shahpur, District- Bhojpur
9. Jitesh Yadav Son Of Ramayan Yadav Resident Of Village- Marchaiya Dera, P.S. Shahpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 24-02-2022

Heard both the parties.

The petitioners seek bail in anticipation of their arrest



in connection with Shahpur P.S. Case No.134 of 2021 instituted for the offences under Sections 341, 323, 325, 307, 379, 504, 506, 34 IPC.

Learned counsel for the petitioner submits that as per the order passed by the court below all the injuries are simple in nature. The incident has occurred on the spur of moment on account of the action of the informant himself who caused hindrance in the marriage ceremony which was taken place at the place of incident.

Taking into consideration the over all aspect, ex facie no case under 307 IPC is made out, I am inclined to grant anticipatory bail to the petitioners and in the event of arrest, they shall be released on bail subject to conditions as laid down under section 438 (2) of the Cr.P.C., which are as under:-

1. The applicants, namely, 1. Ram Bhajan Yadav 2. Shankar Yadav, 3. Jai Ram Yadav, 4. Jai Bhagwan Yadav, 5. Radha Krishna @ Kishu Yadav @ Kishun Yadav, 6. Jai Kishun Yadav, 7. Jai Narain Yadav @ Jagnarain Yadav, 8. Manager Yadav And 9. Jitesh Yadav shall furnish personal bond with their recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer.



2. The applicants shall cooperate with the investigation and make themselves available for interrogation whenever required.

3. The applicants shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer,

4. The applicants shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

5. The applicant shall not leave the territory of Bhojpur without prior permission of the court, till trial is over;

6. The applicants shall maintain law and order;

7. The applicants shall, at the time of execution of the bond, furnish their address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

8. The applicants shall surrender their passport, if any, before the investigating officer within a week and, if they do not possess any passport, they shall file an affidavit to that effect before the investigating officer;

9. The applicants shall regularly remain present



during the trial and cooperate with the Hon’ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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