

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55818 of 2021

Arising Out of PS. Case No.-122 Year-2021 Thana- CIVIL LINE District- Gaya

1. Binod Yadav, aged about 50 years, Gender-Male.
2. Pramod Yadav, aged about 42 years, Gender-Male.
Sl. No. 1 and 2 are Son of Gopal Yadav.
3. Niranjana Kumar, aged about 22 years Gender- Male, Son of Binod Yadav.
4. Vishnu Kumar, aged about 19 years, Gender-Male, Son of Pramod Yadav.
All are Resident of village- Dighi Talab, P.S.- Civil Lines, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar
For the Opposite Party/s : Mr.Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 24-02-2022 Heard the parties.

Learned counsel for the petitioners does not want to press this application against petitioner no. 3, namely Niranjana Kumar.

Accordingly, the application is dismissed as not pressed against petitioner no. 3 and are restricted to petitioners no.1, 2 and 4 namely Binod Yadav, Pramod Yadav and Vishnu Kumar, respectively.

The petitioners no. 1, 2 and 4 seek bail in anticipation of their arrest in connection with Civil Lines P.S. Case No. 122 of 2021 instituted for the offences punishable



under Sections 323, 341, 504, 506, 308, 354(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioners no. 1, 2 and 4 submits that against the other petitioners, it is a case of over implication and sudden quarrel has occurred between them and case under Section 354 IPC is not made out.

Taking into consideration the overall aspect and that all the family members have been made an accused, I am inclined to allow the anticipatory bail application of petitioners no. 1, 2 and 4, namely, Binod Yadav, Pramod Yadav and Vishnu Kumar, in the event of arrest they shall be released on anticipatory bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, which are as under:-

1. The petitioners no.1, 2 and 4, namely Binod Yadav, Pramod Yadav and Vishnu Kumar shall furnish personal bond each with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer;
2. The petitioners no. 1, 2 and 4 shall cooperate with the investigation and make themselves available for interrogation whenever required;
3. The petitioners no. 1, 2 and 4 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 him from disclosing such facts to the court or to any police officer;

4. The petitioners no. 1, 2 and 4 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 petitioners no. 1, 2 and 4 shall not leave the territory of Gaya, without prior permission of the Court, till trial is over;

6. The petitioners no. 1, 2 and 4 shall maintain law and order;

7. The petitioners no. 1, 2 and 4 shall, at the time of execution of the bond, furnish their address and mobile numbers to the investigating officer, and the court concerned, and shall not change their residence till the final disposal of the case;

8. The petitioners no. 1, 2 and 4 shall surrender their passport, if any, before the investigating officer within a week and, if they does not possess any passport, they shall file an affidavit to that effect before the investigating officer;

9. The petitioners no. 1, 2 and 4 shall regularly remain present during the trial, and cooperate with the Hon'ble court to



complete the trial for the above offences.

The anticipatory bail application of petitioner no. 3,
namely Niranjan Kumar, stands dismissed as not pressed.

(Sanjeev Prakash Sharma, J)

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