

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5331 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -MAHESI District- EAST CHAMPARAN
(MOTIHARI)

1. Guddu Kumar Singh Son of Harishankar Singh Resident of Village -
Harnahi Lachhminiya, P.S- Baruraj, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.5820 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

1. Balendra Rai Son of Rajendra Rai resident of village - Harnahi
Laxminia, P.S. Baruraj, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.7470 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

1. Rajesh Bhagat S/o Late Raghubir Bhagat Resident of Village - Bathna,
P.S. - Motipur, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.5331 of 2015)

For the Petitioner/s : Mr. Vinod Gautam, Adv.

For the Opposite Party/s : Mr. U.S.P.Singh(App)

(In Cr.Misc. No.5820 of 2015)

For the Petitioner/s : Mr. Bikramdeo Singh, Adv.

For the Opposite Party/s : Mr. Uma Shankar Pd.Singh(App)

(In Cr.Misc. No.7470 of 2015)

For the Petitioner/s : Mr. Udit Narayan Singh, Adv.

Mr. Shailendra Kumar Dwivedi, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan(App)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-03-2015

These three applications for bail arise out of a common F.I.R. and hence they have been heard together and are being disposed of by a common order.

In Cr.Misc. No. 5331 of 2015 the petitioner is one Guddu Kumar Singh son of Harishankar Singh, In Cr.Misc. No.5820 of 2015 the petitioner is one Balendra Rai and in Cr.Misc. No. 7470 of 2015 the petitioner is one Rajesh Bhagat. Their prayer for bail was earlier rejected by this Court by a common order passed on 22nd July, 2014.

It has been contended that subsequently co-accused Devendra Rai was granted bail on 3rd September, 2014 in Cr.Misc. No. 30337 of 2014 by a Bench of this Court.

Learned counsel for the respective petitioners have submitted that placing reliance on the order passed in Cr.Misc. No.30337 of 2014 I have also granted bail to one of the co-accused, namely, Rajan Sah on 22nd October, 2014 in Cr.Misc. No. 39923 of 2014. It has been contended that the case of the respective petitioners stands on identical footing to that of co-accused Devendra Rai, who has already been granted bail by a Bench of this Court.

Learned counsel for the State concedes that the case of the petitioners stands on identical footing to that of Devendra

Rai.

Regard being had to the facts and circumstances of the case, the petitioner Guddu Kumar Singh in Cr.Misc. No.5331 of 2015, the petitioner Balendra Rai in Cr.Misc. No.5820 of 2015 and the petitioner Rajesh Bhagat in Cr.Misc. No. 7470 of 2015 are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge, Motihari, East Champaran in connection with Sessions Trial No. 597 of 2014 arising out of Mehshi P.S. Case No.7 of 2014, subject to the following conditions :-

- (a) The petitioners shall not influence the witnesses or tamper with any document;
- (b) At the time of furnishing the sureties, the petitioner shall furnish his address to the Court and shall not change his address till the final disposal of the case or till further orders in that regard;
- (c) The petitioner shall not leave the limits of India without prior permission of the trial Court;
- (d) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;
- (e) The petitioner shall abide by the above



conditions scrupulously and in case of violation of any of the conditions, the prosecution would be at liberty to move this Court for cancellation of bail, and

- (f) One of the sureties must be a Government servant/elected people’s representative of Panchayat/ Municipality; and the other one shall be a close relative.

(Ashwani Kumar Singh, J)

Pradeep/-

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