

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17614 of 2015

Arising Out of PS.Case No. -319 Year- 2014 Thana -LAHERIASARAI District- DARBHANGA

Pankaj Kumar Singh Son of Umesh Prasad Singh, Resident of village - Akabarpur, P.S. Kalanpur, District - Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.12043 of 2015

Arising Out of PS.Case No. -319 Year- 2014 Thana -LAHERIASARAI District- DARBHANGA

Kaushal Kumar Son of Satendra Singh, Resident of Village: Akbarpur, P.s Kalyan pur , District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.16092 of 2015

Arising Out of PS.Case No. -319 Year- 2014 Thana -LAHERIASARAI District- DARBHANGA

Kanhaiya Singh @ Sumit Kumar Singh Son of Nageshwar Prasad Singh, resident of village Akabarpur, P.S. - Kalyanpur , District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.14144 of 2015

Arising Out of PS.Case No. -319 Year- 2014 Thana -LAHERIASARAI District- DARBHANGA

Mithilesh Kumar son of Ram Lalit Thakur, Resident of village- Bhuidhara, P.S.- Muffasil, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.17614 of 2015)

For the Petitioner/s : Mr. Bishwanath Prasad Singh

For the Opposite Party/s : Mr. Narendra Kumar Singh,APP

(In Cr.Misc. No.12043 of 2015)

For the Petitioner/s : Mr. Bishwanath Prasad Singh

For the Opposite Party/s : Mr. Md. Aslam Ansari,APP

(In Cr.Misc. No.16092 of 2015)

For the Petitioner/s : Mr. Ugranath Mallik
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP
(In Cr.Misc. No.14144 of 2015)
For the Petitioner/s : Mr. Jitendra Narain Sinha
For the Opposite Party/s : Mr. Sanjay Kr.Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 26-05-2015

All these four bail petitions arise out of a common police station case. Therefore, all of them have been heard together and are being disposed of by this common order.

The petitioners of all the bail petitions seek bail in a criminal prosecution registered under Sections 342 and 392 of the Indian Penal Code.

Taking into consideration that none of the petitioners are named in the F.I.R. vide Annexure-1 as accused, but their names transpired on the basis of confessional statement of the petitioner Pankaj Kumar Singh recorded by the police in connection with Laheria Sarai P.S. Case No. 544 of 2014 and further taking into consideration the fact that the petitioners are said to be in judicial custody for about five months or more, their prayer for bail is allowed. The petitioners of all the four cases, above named, are directed to be released on bail on furnishing bail bond of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Laheria Sarai P.S. Case No. 319 of 2014, subject to the conditions that:

- (A) One of the bailors of all the petitioners shall be government servant,
- (B) Other bailor shall be family members or close relations of all the petitioners,
- (C) if the petitioners are found involved in same and



(D)

similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyers on each and every dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Prasad Verma, J)

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