

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18786 of 2015

Arising Out of PS.Case No. -80 Year- 2014 Thana -SURYAGARHA District- LAKHISARAI

1. Gongu Singh. Son of Basishta Singh.
2. Bhikhari Singh. Son of Radhey Singh. Both are residents of village -
Nandpur, P.S.- Surajgarha, District - Lakhisarai.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Pradeep Nr. Kumar (App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 17-06-2015 Heard learned counsel for the parties.

Learned counsel for the petitioners at the outset submits that petitioner no.2, Bhikhari Singh, has since been arrested rendering his prayer for anticipatory bail to have become infructuous.

Recording the aforementioned submission, the prayer for anticipatory bail of petitioner no.2 is rejected as having become infructuous.

Having regard to the nature of allegation for offence under sections 323, 341, 387, 324, 326, 504/34 of the Indian Penal Code and section 27 of the Arms Act and the fact that the alleged injuries inflicted by petitioner no.1 on the person of Ranjeet Kumar, brother of the informant, were not found and only acid burn injuries not attributable to petitioner no.1 were found by the



doctor, this Court taking into account that the co-accused Karu Singh having identical allegation as that of the petitioner has already been granted anticipatory bail by an order dated 27.3.2015 in Cr.Misc.No. 33972/2014 and that petitioner no.1 also has got no criminal antecedent would be inclined to grant privilege of anticipatory bail provided he surrenders within a period of four weeks from today. In case petitioner no.1, Gongu Singh, surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai in Surajgarha P.S.Case No. 80/2014, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of petitioner no.1 and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be a close relative of petitioner no.1 who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of petitioner no.1.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if petitioner no.1 is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That petitioner no.1 will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

surendra/-

(Mihir Kumar Jha, J)

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