

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20121 of 2015

Arising Out of PS.Case No. -11 Year- 2015 Thana -KACHHAWA District- SASARAM (ROHTAS)

- =====
1. Guddu Singh @ Bhupendra Kr. Singh, S/o Ramdeo Singh
 2. Bhuar Singh @ Birsan Singh, S/o Birendra Singh
- Both residents of Village - Bhedhia, P.S.- Kachawa, District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Pd.(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioners and the learned counsel for the informant as well as the learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Kachhawa P.S. Case No.11 of 2015 for allegedly having committed the offences under Sections 341, 506 and 386/34 of the Indian Penal Code.

Earlier case diary in the present case was called for, which has since been received.

Learned counsel for the petitioners submits that earlier the informant had filed a case against the petitioners, bearing Kachhawa P.S. Case No.8 of 2015, and it was only on account of the fact that the petitioners wanted to make the said

case weak, that the informant was kidnapped and made to sign on plain papers.

Learned counsel for the informant submits it were these plain papers on which the informant had been made to sign which formed the basis of a compromise petition and using the said compromise petition, the petitioners had prayed for bail, which was accordingly rejected. This fact has been endorsed by the Investigating Officer in paragraph 22 of the case diary.

Considering the aforementioned facts and circumstances, I am not inclined to grant anticipatory bail to Petitioner No.1 Guddu Singh @ Bhupendra Kr. Singh. If, however, Petitioner No.1 surrenders in the court below i.e., in the court of the learned Chief Judicial Magistrate, Rohtas at Sasaram, within a period of four weeks from today, in connection with Kachhawa P.S. Case No.11 of 2015, and prays for regular bail, the court below may consider his case for grant of regular bail without being prejudiced by this order.

So far as prayer for bail on behalf of Petitioner No.2 is concerned, considering the fact that there is no cogent material in the case diary so as to implicate him in connection with the present case, let Petitioner No.2, namely, Bhuar Singh

@ Birsen Singh, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Kachhawa P.S. Case No.11 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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