

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29679 of 2015

Arising Out of PS.Case No. -328 Year- 2014 Thana -JAKKANPUR District- PATNA

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1. Suresh Singh, son of late Raghunath Singh 2. Sunil Kumar @ Sunil Singh 3. Sudhir Kumar @ Sudhir Singh, both sons of Suresh Singh All resident of Village - Alawalpur Manorah, Police Station - Punpun, District - Patna	 Petitioners
Versus	
The State of Bihar	 Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Kumar, Advocate
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-07-2015 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 363, 364 read with Section 34 of the Indian Penal Code registered in connection with Jakkanpur P.S. Case No.328 of 2014.

3. It is submitted that the petitioners have been falsely implicated as the parties are related and there is ongoing Title Suit No.787 of 2011 between them as also Complaint Case No. 320 (C) of 2012 filed by the informant's side. The first information report itself has been instituted after inordinate delay on 24.08.2014 for the alleged occurrence of 10.04.2014 which casts serious doubt about the veracity of the accusation.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Praveen Kumar Singh, learned Judicial Magistrate, Patna, in connection with Jakkanpur P.S. Case No.328 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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