

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47112 of 2015

Arising Out of PS.Case No. -304 Year- 2014 Thana -AKBARPUR District- NAWADA

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1. Balmiki Singh, Son of Sri Bhanu Singh,
2. Gautam Kumar, Son of Sri Varun Singh, Both residents of village -
Nanai, P.S. - Akbarpur, District -Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Mishra, Advocate.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-11-2015 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 342, 353 and 307 of the Indian Penal Code registered in connection with Akbarpur P.S. Case No. 304 of 2014.

3. It is submitted that the petitioners have been falsely implicated only on political rivalry as the F.I.R. has been instituted at the instance of Chaukidar and not the L.R.D.C. who is said to have been injured or other police personnel who was present at the time of alleged occurrence. There is unexplained delay of three days in instituting the F.I.R. on 04.11.2014 but the alleged occurrence on 01.11.2014.

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) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Akbarpur P.S. Case No. 304 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)

Md. Ibrarul/-

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