

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2744 of 2015

Arising Out of PS.Case No. -87 Year- 2014 Thana -SONO District- JAMUI

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1. Rohit Singh
2. Rajesh Singh
3. Krishna Mohan Singh
All Sons of Late Sundar Singh. All are resident of village - Katiyari,
P.S. - Sono, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Opposite Party/s : Smt. Anusaiya Jaiswal(APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 21-05-2015 Heard learned counsel for the parties as with regard to the prayer for anticipatory bail of all the three petitioners in relation to an offence under Section 147, 341, 323, 307, 436 of the Indian Penal Code.

Mr. Pankaj Kumar Sinha, learned counsel for the petitioners, has basically concentrated on the aspect that it is the case and counter case, inasmuch as, Sono P.S. Case No. 87 of 2014 was filed against the petitioners and Sono P.S. Case No. 88 of 2014 was filed by the petitioners against the prosecution party. He has also submitted that the petitioner Rohit Singh had sustained injuries on his person and, therefore, it cannot be said that the version given by the petitioners is incorrect specially when



there are orders of the Revenue Authority which go to show that the land, in question, belongs to the petitioners. He has also drawn attention of this Court that in the criminal case, the prosecution party being accused in a case filed by the petitioner Rohit Singh being Sono P.S. Case No. 88 of 2014, namely, Sheshmani Yadav, Manoj Yadav, Braj Kishore Yadav, Deva Yadav and Ganesh Yadav have been given privilege of anticipatory bail by the District and Sessions Judge, Jamui himself.

Considering the fact that Rohit Singh had injury on his person and that the accused persons of the criminal case filed by the petitioner Rohit Singh have also been given anticipatory bail, this Court would direct that if the petitioners, namely, Rohit Singh, Rajesh Singh and Krishna Mohan Singh would surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Jamui in connection with Sono P.S. Case No. 87 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

(i) That both the bailors will be a close relative of the petitioners, who will undertake an affidavit giving genealogy as to

how they are related with the petitioners. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioners are implicated in any other case of similar nature after their 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.

(iii) That the petitioners will be well represented on each and every date in course of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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