

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50198 of 2015

Arising Out of PS.Case No. -129 Year- 2015 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Rahul Kumar
2. Kundan Kumar Pandey @ Pappu Kumar
Both sons of Sri Ramkeshwar Pandey resident of village - Shyampur, P.S.
Adapur, District - East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Binod Kumar Mishra, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-11-2015 Heard learned counsel for the petitioners and learned

APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 341, 323, 447, 379, 385, 504 and 307 read
with Section 34 of the Indian Penal Code registered in connection
with Adapur P.S. Case No. 129 of 2015.

3. It is submitted that the petitioners have been falsely
implicated as there is a case and counter case between the parties.
Even according to the FIR, accusation of assault is only with fists
and accusation with regard to threatening with firearms as well as
of theft is super-addition

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 Sub-Divisional Judicial Magistrate, Raxaul at Motihari in connection with Adapur P.S. Case No. 129 of 2015, 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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