

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39028 of 2013

Arising Out of PS.Case No. -289 Year- 2010 Thana -MINAPUR District- MUZAFFARPUR

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1. Rakesh Kumar Singh S/O Late Jagarnath Singh, resident of Village- Madhopur, P.S.- Hathauri, Dist.- Muzaffarpur
 2. Videshi Ram S/O Late Sukeshwar Ram, resident of Village- Madhopur, P.S.- Hathauri, Dist.- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma, Advocate.

For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

8 22-04-2015 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 324, 307/34 of the Indian Penal Code, 3/4 of Explosive Substance Act, 27 of the Arms Act and 47(A) of the Excise Act registered in connection with Minapur P.S. Case No. 289 of 2010.

3. It is submitted that the petitioners have been falsely implicated and there is two days delay in instituting the F.I.R. on 08.11.2010 for the alleged occurrence of 06.11.2010. The injury report received under letter no. 1148 dated 28.04.2014 from the Superintendent of Police, Muzaffarpur is doubtful in its veracity as evident from the report of the Senior Superintendent of Police, Muzaffarpur dated 27.10.2014 sent to this Court that the I.O. has later on wrongly mentioned

the date 08.11.2010.

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 Sri Deepanshu Srivastava, learned Judicial Magistrate, Ist Class, Muzaffarpur, in connection with Minapur P.S. Case No. 289 of 2010, 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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