

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4074 of 2015

Arising Out of PS.Case No. -4 Year- 2014 Thana -GOPALPUR District-
WESTCHAMPARAN(BETTIAH)

1. Diwakar Singh @ Mitthu Singh Son of Chuman Singh, Resident of
Village - Chaubey Tola, P.S. - Chanpatia, District - West Champaran at
Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.7056 of 2015

Arising Out of PS.Case No. -4 Year- 2014 Thana -GOPALPUR District-
WESTCHAMPARAN(BETTIAH)

1. Jakir Mian @ Jakir Ansari Son of Late Astullah Ansari resident of
village - Bankat Puraina, P.S. Chanpatiya, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 21-04-2015 Both the above-said petitions arise out of Gopalpur
P.S. Case No. 04 of 2014 corresponding to Sessions Trial No. 542
of 2014 registered under Section-302, 120(B)/34 of the Indian
Penal Code and accordingly, both the above-said petitions are
being disposed off by this common order.

Petitioners are named in the first information report
but according to prosecution case itself, the deceased disclosed the
name of assailant as Girish Lal and the aforesaid Girishlal has

already been granted privilege of bail by a coordinate bench of this court vide order dated 08-07-2014 passed in Cr. Misc. No. 28354 of 2014.

Learned counsel, appearing for the informant points out that almost all the prosecution witnesses barring few have already been examined and there is every likelihood of conclusion of trial of the petitioners in near future. It is pointed out by him that in course of trial, one accused Vinod Singh gave threatening to the prosecution witnesses and a complaint regarding the aforesaid threatening has already been made before the trial court.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioners named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Gopalpur P.S. Case No. 04 of 2014 corresponding to Sessions Trial No. 542 of 2014 to the satisfaction of Learned Additional Session Judge-VIth, West Champaran, Bettiah subject to conditions that if, any attempt is made by the petitioner to threaten or terrorize the prosecution witnesses, the learned trial court shall be at liberty to cancel the bail bond of the petitioners after due and proper inquiry and furthermore, the petitioners shall appear before the trial court in person on each and every date for

the period of six months or till conclusion of their trial, whichever is earlier and if, they fail to do so on two consecutive dates without any reasonable cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Hemant Kumar Srivastava, J)

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