

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47049 of 2015

Arising Out of PS. Case No. -190 Year- 2014 Thana -BHAGWAN BAZAR District- SARAN

- =====
1. Kanhaiya Kumar @ Kanhaiya Sonar son of Mathura Prasad, R/o Mohalla- Chatradhari Bazar, P.S.- Bhagwan Bazar, District- Saran
 2. Abhinash Kumar Ram @ Abhinash Kumar, son of Anil Kumar Ram
 3. Prakash Kumar son of Anil Kumar Ram
Both are residents of Mohalla- Railway Colony, P.S. - Bhagwan Bazar, District- Saran
 4. Sanjay Kumar son of Anirudh Ram, Resident of village- Telpa, P.S.- Chapra Town, District- Saran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Raghwendra Kumar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 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, 448, 341, 323, 379 and 354 of the Indian Penal Code registered in connection with Bhagwan Bazar P.S. Case No. 190 of 2014.

3. It is submitted that the petitioners have been falsely implicated as in fact, the daughter of the informant had voluntarily accompanied co-accused Vikash Kumar. A similar first information report was also instituted in Bhagwan Bazar P.S. Case No. 64 of 2014 in the past, in which the main accused Vikash Kumar has already been granted bail by a Bench of this Court in Cr. Misc. No.

27128 of 2015.

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, Chapra in connection with Bhagwan Bazar P.S. Case No. 190 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure 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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