

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28676 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Rameshwar Prasad S/o Late Ramchandra Prasad
2.Harendra Prasad S/o Rameshwar Prasad
Both resident of Village- Purushottampur, P.S.- Majhauria,
District- West Champaran.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s Smt. Pronati Singh

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 26.07.2016 Supplementary affidavit is filed on behalf of the petitioners.

Let it be kept on record.

Heard learned counsel for the petitioners as well as learned
Addl. Public Prosecutor for the State assisted by learned counsel for
the informant.

Petitioners seek bail in a case registered under section 307
and other minor sections of the Indian Penal Code and various
sections of the Arms Act.

Petitioners are named in the first information report but
according to the prosecution case itself, it was co- accused Rajesh
Prasad who opened fire causing injury to the injured of the present
case.

So far as petitioners are concerned, they are only members
of the mob and no specific overt-act has been attributed against them.

Learned counsel appearing for the informant submits that earlier petitioners had suppressed their criminal antecedent but when the aforesaid fact was pointed out before this court, they have filed supplementary affidavit disclosing their criminal antecedent but still they have not disclosed entire cases lodged against them.

On the other hand, learned counsel appearing for the petitioners submits that petitioners have already declared their criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, West Champaran at Bettiah in Majhaulia P.S. Case no. 69/2016.

However, it is made clear that if any other case lodged against the petitioners prior to filing of this petition is found, informant may file petition for cancellation of bail of the petitioners before the trial court and in that event, learned trial court shall pass appropriate order after due and proper enquiry.

shahid

(Hemant Kumar Srivastava,J)

U		T	
---	--	---	--