

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36446 of 2016

Arising Out of PS.Case No. -131 Year- 2016 Thana -SIRDALA District- NAWADA

1. Inderdeo Prasad @ Indradeo Prasad S/o Gaya Prasad
2. Karu Prasad S/o Kesho Prasad
Both residents of Village/ Mohalla - Nandudih, P.S. - Sirdala, District-
Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Krishna Deo Raj, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-09-2016 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, 148, 149, 341, 323, 324, 307, 354, 379
and 504 of the Indian Penal Code registered in connection with
Sirdala P.S. Case No. 131 of 2016.

3. It is submitted that the petitioners have been falsely
implicated and the assault attributed to them of having delivered
blow on the head of the informant's father with 'Sawal' and 'Tangi'
is falsified from the relevant injury report which shows that the
injuries were caused by hard blunt substance and in any event,
were also simple in nature.

4. Learned APP appearing for the State assisted by
learned counsel appearing *suo motu* for the informant has been
heard.

5. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Nawada in connection with Sirdala P.S. Case No. 131 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

B.T/Chandran

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