

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12295 of 2016

Arising Out of PS.Case No. -213 Year- 2015 Thana -BAIRGINIYA District- SITAMARHI

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1. Mahant Brij Kumar Das @ Brij Kumar Das, S/o Late Rameshwar Das.
 2. Divyansh Shekhar, son of Rajiv Kumar.
 3. Sanjeev Kumar, son of Mahant Brij Kumar Das.
 4. Suraj Kumar Gupta, son of Dinesh Kumar Gupta.
 5. Rajeev Kumar, son of Mahant Brij Kumar Das.
All R/o Village Akhta, P.S. Bairginiya, District- Sitamarhi.
 6. Bhartendu Kumar Jha @ Bhartendu Jha, son of Sanjay Kumar Jha
R/o Village- Akhta, Tole- Motipur, P.S. Bairginiya, Dist- Sitamarhi.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-03-2016 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, 447, 448, 323, 324, 307, 379, 504, 506, 427 of the Indian Penal Code and 27 of the Arms Act registered in connection with Bairginiya P.S. Case No. 213 of 2015.

3. It is submitted that there is case and counter case between the parties in which the petitioners' side have also received injuries. The thrust of accusation of assault is against co-accused Shashant Shekhar and Satish Kumar Jha (not petitioners). The injuries of assault attributed to Rajeev Kumar and Bhartendu Kumar Jha, petitioner nos. 5 and 6 are simple in nature. There is no specific allegation of assault

against the remaining petitioners.

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, Sitamarhi, in connection with Bairginiya P.S. Case No. 213 of 2015, 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 will be well represented 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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