

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50811 of 2016

Arising Out of PS.Case No. -141 Year- 2015 Thana -IMAMGANJ District- GAYA

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1. Mahendra Prasad @ Mahendra Prasad Singh
 2. Birendra Prasad Both Son of late Bhuneshwar Prasad Resident of Village- Pakardih, P.S. Imamganj, District -Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party : Smt. Anita Kumari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-11-2016 Heard the learned counsel for the petitioners and the learned APP for the State.

Petitioners are languishing in custody since 19.10.2016 in connection with Imamganj P.S.Case No.141 of 2015 for offence alleged under Sections 147, 148, 149, 341, 323, 324, 307, 448, 380, 504 and 354 of the IPC.

The prosecution case is that the petitioners along with 40-50 people assaulted the informant and other members of the family including the daughter Madhu, resultantly the informant's side received grievous injury.

It has been submitted by the learned counsel for the petitioners that both sides are co-villagers and neighbours and there was altercation from both sides in which the petitioners' side

also lodged Imamganj P.S.Case No.140 of 2015 wherein both sides received grievous injuries. He further submits that chargesheet has already been submitted against them, hence there is no chance of tampering with the evidence.

However, learned counsel for the Informant submits that the informant's side was brutally beaten and the daughter Madhu was also beaten as a result of which she became senseless, hence opposes the prayer for bail.

Learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

From perusal of materials on record, it appears that chargesheet has already been submitted and the petitioners' release from custody would not adversely affect their trial. Thus, in the interest of justice and considering the period of custody, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gaya in connection with Sessions Trial No.485 of 2016 arising out of Imamganj P.S.Case No.141 of 2015.

It is further made clear that this direction for bail is further subject to the condition that the petitioners will not directly or indirectly, make any inducement, threat or promise to any

person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application stands allowed.

(Nilu Agrawal, J)

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