

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29215 of 2016

Arising Out of PS.Case No. -71 Year- 2015 Thana -BARAULI District-
GOPALGANJ

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1. Uday Pratap Singh.
 2. Govind Kumar Singh, both S/o Late Nag Narayan Singh.
 3. Pramod Kumar Singh @ Pramod Singh, S/o Late Brij Kishore Singh.
- All R/o village + Post-Devapura, Police Station-Barauli,
District-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh
For the State : Mrs. Meena Singh
For the Informant : Mr. Mukesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioners,
learned counsel for the informant and learned Additional
Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Barauli P.S. Case No. 71 of 2015, disclosing
offences under Sections 147, 148, 323, 341, 354, 354(A),

380, 307, 379, 427 and 504 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that petitioner Nos. 1 and 2 were on police bail.

Since petitioner Nos. 1 and 2 were on police bail, it goes without saying that if they appear before the learned court below and seek regular bail, the same shall have to be disposed of in terms of this Court's decision in case of ***Mahendra Prasad Singh Vs. The State of Bihar***, reported in ***2004 (3) PLJR 491***.

As regards petitioner No. 3, it has been submitted by learned counsel for the petitioners that he was not on police bail and the police, after completion of investigation, have not sent him up for trial. He contends that learned court below, however, took cognizance and issued summons to petitioner No. 3 also and, therefore, he apprehends his arrest in connection with the said case.

Considering the facts and circumstances, so far as petitioner No. 3, above named, is concerned, this application is allowed. Let petitioner No. 3, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief**

Judicial Magistrate, Gopalganj, in connection with **Barauli P.S. Case No. 71 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner No. 3, above named, shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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