

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36441 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -PUPRI District- SITAMARHI

1. Lal Babu Sah S/O Narayan Sah
2. Jai Chaudhary S/O Chhalitar Chaudhary
3. Sinodh Chaudhary S/O Radha Chaudhary
R/O Village Aawapur P.S. Pupri, District Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Virendra Kumar, Advocate

For the Opposite Party : 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, 149, 188, 353, 379, 337, 427 and 504 of the Indian Penal Code and Sections 131, 132 and 135 of the R.P. Act registered in connection with Pupari P.S. Case No. 89 of 2016.

3. It is submitted that the petitioners have been falsely implicated on mere suspicion and the accusations against the accused persons are general and omnibus in nature and no specific overt act has been alleged against the petitioners. Similarly situated accused persons, namely, Shankar Paswan, Kamlesh Paswan, Ganesh Chaudhary, Yogi Mahto, Sakal Chaudhary, Shatrughan Paswan, Kishori Paswan, Manoj Kumar, Awadhesh Paswan and Kailu Thakur, have been granted anticipatory bail in A.B.P. No. 1313 of 2016 by the learned Court of the Sessions Judge, Sitamarhi. Petitioners claim clean antecedents.

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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupari at Sitamarhi in connection with Pupari P.S. Case No. 89 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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