

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38603 of 2016

Arising Out of PS.Case No. -192 Year- 2015 Thana -RAJAULI District- NAWADA
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- 1. Naresh Singh Son of Mathura Singh
 - 2. Ashok Singh @ Ashok Kumar, Son of Late Aditya Singh
 - 3. Babloo Singh Son of Balmiki Singh.
 - 4. Dhananjai Singh son of Chandeshwar Singh.
- All resident of Village- Dhamaul, P.S. Rajauli, District- Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance:

- For the Petitioners : Mr. Shankar Kumar, Advocate
 - For the Informant : Smt. Lilawati Singh, Advocate
 - Smt. Manisha Prakash, Advocate
 - Mr. Umesh Kumar, Advocate
 - For the State : Mr.R.P.Nat, APP
- =====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 341, 323, 325, 307, 379, 504 and 34 of the
Indian Penal Cod registered in connection with Rajauli P.S. Case
No. 192/2015.

3. It is submitted that the petitioners have been falsely
implicated in retaliation to the FIR in Rajauli P.S. Case No. 188 of
2015 instituted by the petitioners' side. It is further submitted
that the accusation of snatching away gold chain by Babloo Singh
and thrashing Manju Devi and pulling her saree and giving leg

blows to Manju Devi by Dhananjay Singh are all ornamental in nature. It is further stated that the injuries sustained are simple in nature.

4. Considering that the accusation of assault on the mouth of Manju Devi attributed to Naresh Singh, petitioner no. 1, resulting in fracture of left central incised teeth partially, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner no. 1. The anticipatory bail petition as against him stands dismissed.

5. Having regard to the entirety of the facts and circumstances, in the event of arrest or surrender by petitioner nos. 2, 3 and 4 before the court below within six weeks from the date of communication of this order, let the above named petitioner nos. 2, 3 and 4 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 Chief Judicial Magistrate, Nawada, in connection with Rajauli P.S. Case No. 192 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) That one of the bailors shall be a close relative of the petitioners.

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

(iii) That 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)

Chandran/lbrar

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