

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54601 of 2016

Arising Out of PS.Case No. -158 Year- 2015 Thana -DHURAIYA District- BANKA

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1. Shyam Kisku Son of Raja Kishku
2. Lattu Beta Hansdah Son of Shivjatan Hansdah
Both Resident of Village-Post-Birniya, P.S.-Dhoraiya, District-banka
.... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Dharaiya P.S.
Case No. 158 of 2015 registered for the offences punishable under
Sections 147, 148, 149j, 341, 323, 302 of the Indian Penal Code.

At the very outset, it is submitted that in this case there are
altogether 6 named accused persons and 30-40 unknown with
allegation that the villagers of village Birniya including male and
female were assaulting the father of the informant and when the
informant tried to save his father, he was chased by villagers due
to which he left his father and escaped from that place and out of
those six accused persons, four named accused persons have
already been allowed bail vide order dated 10.11.2015 passed in
Cr. Misc. No. 51173 of 2015 by another co-ordinate Bench of this



Court and as such these two petitioners also deserve sympathetic consideration as they are suffering in custody since 06.09.2016 and 09.09.2016 respectively having clean antecedent.

Learned APP fairly submits that four co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Saroj Kriti, Judicial Magistrate Ist Class, Banka in connection with Dharaiya P.S. Case No. 158 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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