

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38623 of 2016

Arising Out of P S. Case No. -70 Year- 2016 Thana -KURSELA District- KATIHAR

1. Ram Pravesh Singh S/o Late Abhinandan Singh
2. Chandan Singh @ Chandan Kr Singh S/o Ram Pravesh Singh.
3. Kundan Singh @ Kundan Kr. Singh S/o Ram Pravesh Singh.
All are resident of Village Nababganj Vasa Tola, P.S. Kursela, District-
Katihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance:

For the Petitioners : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party : Mr. J.K.Singh, 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 448, 323, 379, 307 and 504/34 of the
Indian Penal Code registered in connection with Kursela P.S. Case
No. 70 of 2016.

3. It is submitted that the petitioners have been falsely
implicated and there is case and counter case between the parties.
The injuries are said to be simple in nature. The petitioners claim
clean antecedents.

4. Considering that the injury nos. 1 and 2 on the head of
Tunna Singh attributed to the petitioner no. 2, Chandan Singh @
Chandan Kumar Singh, this Court is not inclined to grant the
privilege of anticipatory bail to the petitioner no. 2. The
anticipation bail petition as against him stands dismissed.

5. As regards petitioner nos. 1 and 3, having regard to the
entirety of the facts and circumstances, in the event of arrest or
surrender by petitioner nos. 1 and 3 before the Court below within

six weeks from the date of communication of this order, let the above named petitioner nos. 1 and 3 be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Kursela P.S. Case No. 70 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) 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/BT

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