

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15739 of 2017

Arising Out of PS.Case No. -144 Year- 2016 Thana -BELHAR District- BANKA

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1. Karu Singh @ Naresh Prasad Singh son of Late Biko Singh
2. Sarvottam Singh son of Karu Singh @ Naresh Prasad Singh
Both R/o village- Bahorna, P.S.- Belhar (Khesar), District- Banka
..... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 21-04-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Belhar (Khesar) P.S. Case No. 144 of 2016 registered for the offences punishable under Sections 147, 148, 149, 341, 324, 323, 307, 379, 504, 506 of the Indian Penal Code in which Section 302 IPC was added later on.

The informant is the daughter-in-law of the deceased, she named 9 persons alleging that they assaulted her father-in-law and other family members but after the death of Kapildev Singh wife of Kapildev Singh who is also injured disclosed the name of the petitioner also and she named 17 persons.

Submission is of false implication and that the petitioner is not named in the first information report, the informant in her



further statement has also not named the petitioner, in this case similarly situated co-accused Vijay Singh @ Bijo Singh has been allowed pre-arrest bail vide Cr. Misc. No. 27943 of 2016 whereas other co-accused namely, Avinash Singh, Bibhash Singh and Bipin Singh have been allowed regular bail and as such the petitioners deserve sympathetic consideration as there is no specific allegation of assault against him.

Learned APP duly assisted by learned counsel for the informant submits that two trials are going on for the same occurrence and as such the petitioners may be directed to co-operate with the trial.

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 Sri A. K. Gupta, Additional Chief Judicial Magistrate II, Banka in connection with Belhar (Khesar) P.S. Case No. 144 of 2016, 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 and further the petitioners shall co-operate during trial.

avin/-

(Jitendra Mohan Sharma, J)

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