

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17934 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -AMBA District- AURANGABAD

- =====
1. Raja Ram Prajapati, son of Chanarik Prajapati
 2. Dinesh Prajapati, son of Krishna Prajapati
- Both residents of Village- Narhar Amba Tola Kumhar Bigha, P.S.
Amba, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sunil Kumar Dubey, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 23.01.2017 in connection with Amba P.S. Case No. 09 of 2017 for the offences alleged under Sections 147, 148, 149, 341, 323, 307, 302, 504 and 506 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated as even according to the F.I.R. the main assailant in the case is Krishna Prajapati and death occurred as a result of assault made by him on the head of the informant's brother. No overt act has been attributed to the petitioner. There is case and counter case between the parties.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Amba P.S. Case No. 09 of 2017, on the following conditions:-

(i) That one of the bailors of each of the petitioners shall be their close relative.

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

(iii) 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.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, 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.

(Vikash Jain, J)

Md. Ibrarul/psc

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