

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18237 of 2017

Arising Out of PS.Case No. -174 Year- 2016 Thana -BAJPATTI District- SITAMARHI

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1. Kamesh Kumar,
2. Nirmal Kumar, Both Sons of Chandeshwar Rai, Both residents of village
- Jalalpur, P.S. Pupari, District - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-04-2017 This is an application for grant of bail for offences punishable under Sections 272 and 273 of the Indian Penal Code and 30(a) of Bihar Excise Amendment Act, 2016.

Earlier petitioners had moved before this Hon'ble Court for grant of bail which was rejected vide order dated 21.02.2017 passed in Cr. Misc. no. 441 of 2017 with liberty to the petitioners to renew their prayer for bail after completion of six months in custody.

It has been submitted on behalf of the petitioners that they have now completed period of six months in custody but instead of moving before the court below they have come directly before this Court and trial has not commenced up-till-now.

Heard learned A.P.P. also.



Having heard both sides, in view of the fact that they have remained in custody for six months, let above named petitioners be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) each with two sureties of the like amount each to the satisfaction of learned SDJM, Pupari, Sitamarhi, in connection with Bajpatti P.S. Case no. 174 of 2016 with the following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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