

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17733 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -TARAIYA District- SARAN

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1. Abhay Singh, S/o Shivrath Singh,
2. Nirbhay Singh, S/o Shivrath Singh.
3. Binay Singh, S/o Shivrath Singh, All are residents of Village-
Madhavpur Bara P.S.- Taraiya, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 04-07-2017 Heard the parties.

The petitioners seek regular bail in connection with Tariyan P.S.Case No.25 of 2017, registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code and 25(1-b)a, 26, 37 & 35 of the Arms Act.

Allegation against the petitioners is that they have assaulted the informant and others causing injury to them.

Submission of the learned counsel for the petitioners is that there is a case and counter case between the parties and the persons from the petitioner's side have also received injury in this case. Apart from that there is land dispute between the parties and earlier to this occurrence, several cases had been filed by the petitioner's side also, as such, he has been falsely implicated in this case. It is further submitted that most of the injuries are simple



in nature and one injury is grievous but it has not been attributed to this petitioner. The petitioner is in custody for about five months.

Heard learned A.P.P. and the learned counsel for the informant. They have not controverted the facts that the injuries are simple in nature and one injury is grievous but the same is not attributed to this petitioner.

Having heard both sides and considering the aforesaid aspects of the matter, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. IX, Saran at Chapra, in connection with Taraiyan P.S.Case No.25 of 2017.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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