

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34551 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

- =====
1. Krishna Kumar, son of Brahmdeo Prasad @ Brahmdeo Pd., resident of village Takhat Barwa, P.S. Daudpur, District Chapra
 2. Basant Chauhan @ Basant Nonia @ Lambu, son of Brahmdeo Chouhan, resident of village Mahrajpur Mohabatpur, P.S. Sherghati, District Gaya
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-07-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Rafiganj P.S.Case No. 121 of 2016 registered for the offences punishable under Section 395 of the Indian Penal Code.

Petitioners are not named in the FIR and later on their names transpire in the confessional statement of co-accused.

It has been submitted on behalf of the petitioners that no recovery has been made from the possession of the petitioners and they are in custody for six months and similarly situated other accused persons have been granted bail by co-ordinate Benches of this Court.

Heard learned APP also, who has opposed the prayer for bail stating that petitioners have criminal antecedents.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount



each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj P.S. Case No. 121 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(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 reason, the prosecution is free to move for cancellation of their bail.

(iv) If active involvement of the petitioners in such type of cases is found in future, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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