

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44201 of 2017

Arising Out of PS.Case No. -100 Year- 2017 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Krishnandan Singh, Son of Late Rajendra Pratap Singh @ Rajinand Singh
2. Awadhesh Singh, Son of Late Srinarayan Singh Both are Resident of Village-Dhanouji, P.s.-Pakadi Dayal, District-East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pravin Kumar, Advocate
For the Informant : Mr. Ansul, Advocate
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 30-10-2017 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners are in custody since 20.07.2017 in connection with Pakridayal P.S. Case No. 100 of 2017 for the alleged offences under Sections 147, 148, 149, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated and in any event there is case and counter case between the parties. It is submitted that the injuries sustained by the informant and his nephew Prince Kumar belie the allegation of assault by '*farsa*' attributed to the petitioners. In any event, most of the injuries are simple in nature and injury of Prince Kumar said to be grievous is on non-vital part of the body. A supplementary affidavit has been filed in which it is stated that the land in question belongs to the petitioners. It has therefore been submitted that the informant's side were the aggressors.



4. Learned counsel for the informant appears *suo motu* and opposes the bail petition.

5. 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 Additional Chief Judicial Magistrate-V, East Champaran, Motihari in connection with Pakridayal P.S. Case No. 100 of 2017 on the following conditions:-

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

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

(iii) That the petitioners shall co-operate 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.

(iv) 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.

Chandran/BT

(Vikash Jain, J)

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