

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37846 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -BARAUNI District- BEGUSARAI

=====

1. Balgovind Singh @ Chukri Singh, Son of Late Basho Singh
2. Ram Babu Kumar @ Khushoo, Son of Balgovind Singh @ Chukri Singh
Both are Resident of Village- Sabaura, P.S.- Barauni, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.

Mr. Pravin Kumar, Adv.

Mr. Shashank Shekhar, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-08-2017 Heard the learned counsel for the petitioners.

The petitioners seek regular bail in connection with Barauni (Refinery) P.S. Case No. 38 of 2017 dated 8.2.2017 registered for the offence punishable under Sections 307, 354(b) and other allied sections of the Indian Penal Code.

The case of the informant is that while he was doing construction of boundary wall on his land, the accused persons arrived there and assaulted him as well as other with ***lathi*** and pistol.

The learned counsel for the petitioner submits that the similarly situated co-accused, namely Chandan Kumar and Gonga have been granted regular bail by order dated 11.07.2017 passed in Cr. Misc. No. 26789 of 2017.

I find that the case of the present petitioners is on similar footing to that of Chandan Kumar and Gonga and



moreover, from the records it bears out that admittedly, the present case is resultant of a land dispute between the parties.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni (Refinery) P.S. Case No. 38 of 2017 with following conditgions:

- (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.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	
---	--	---	--

