

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10768 of 2017

Arising Out of PS.Case No. -99 Year- 2016 Thana -NANHPUR District- SITAMARHI

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1. Rajgir Rai, Son of Kalar Rai,
2. Shambhu Yadav alias Shambhu Rai, Son of Rajgir Rai, Both resident of
Village- Naya Tola, Serha Tola, P.S.- Nanpur, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-04-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Nanpur P.S.Case No. 99 of 2016 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 427, 504, 506, 304 and Section 302 of the Indian Penal Code.

Petitioner No.2 is not named, whereas petitioner No.1 is named in the FIR, who is said to be order-giver.

It has been submitted on behalf of the petitioners that informant has not named petitioner No.2 in the FIR but in re-statement he has named eight persons, including the petitioner. It has also been submitted that during the course of investigation witnesses have not stated any specific overt act against the petitioners, rather there is general and omnibus allegation against them and they are in custody for about five months.

Heard learned APP also, who could not controvert the above submission.



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 Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi, in connection with Nanpur P.S.Case No. 99 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.

(Vinod Kumar Sinha, J)

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