

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41773 of 2017

Arising Out of PS.Case No. -230 Year- 2016 Thana -CHAUSA District- MADHEPURA

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1. Sanjay Singh, Son of Khantar Singh,
2. Bajrangi Singh, Son of Late Sohan Singh, All R/o Village- Khopariya,
P.S.- Chausa, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Chousa P.S.
Case No. 230/2016 for offences punishable under Sections 147,
148, 149, 341, 323, 385, 386, 387, 379, 504, 506 of the Indian
Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that he is an agriculturist and was constructing his house. Since ten
days, the petitioners along with 14 other accused persons were
demanding rangdari of Rs. 1 lac, which the informant could not
pay. On the alleged date of occurrence, the petitioners armed with
rifle came, assaulted and on gun point snatched Rs. 20,000/- from
his pocket.



It has been submitted by the learned counsel for the petitioners that they are innocent and have been falsely implicated in the aforesaid case. In fact, both parties had land dispute and there was no demand of ransom. He submits that there was no injury caused by the petitioners, there is general and omnibus allegation and they are languishing in custody since 28.04.2017. It is further submitted that the co-accused on similar allegation has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 39641 of 2017 on 19.08.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioners are habitual offenders and 16 cases are pending against them some of similar nature.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura, in connection with Chousa P.S. Case No. 230/2016, subject to the conditions that :

- (i) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the



petitioners.

- (ii) Petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.
- (iii) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.
- (iv) Petitioners shall also appear before the concerned police station in the first week of every month.

(Nilu Agrawal, J)

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