

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34673 of 2017

Arising Out of PS.Case No. -233 Year- 2016 Thana -CHAUSA District- MADHEPURA

- =====
1. Sanjay Singh, Son of Khantar Singh,
 2. Akhilesh Singh @ Aklesh Singh Son of Bilo Singh, Both R/o Village-
Khoparia, P.S.- Chausa, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioners are languishing in judicial custody since
27.03.2017 in connection with Chousa P.S. Case No. 233 of 2016
registered for the offence punishable under Sections 384, 386 and
506 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he has bought a piece of land in the village, but 12 accused
persons named in the First Information Report were demanding
rangdari of Rs. one lac and were not allowing the informant to
enjoy peaceful possession of the land.

It is submitted by the learned counsel for the
petitioners that they are innocent, there is general and omnibus



allegations against 12 accused persons, including the petitioners and no overt act has been alleged to have been committed by them, hence, Sections 384, 386 and 506 of the Indian Penal Code are not applicable. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioners.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioners are habitual offenders and as many as six cases are pending against petitioner no.1 and three cases are pending against petitioner no.2 apart from the present case.

Considering the facts and circumstances and the materials on record, let the petitioners, named above, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Udakishunganj, District Madhepura in connection with Chousa P.S. Case No. 233 of 2016, subject to the condition that one of the bailors of each of the petitioners would be a close relative, who would file an affidavit stating his relationship with the petitioners and that petitioners will appear before the learned Court below on each and every date and failure



to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J.)

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