

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33224 of 2017

Arising Out of PS. Case No.-217 Year-2016 Thana- CHAUSA District- Madhepura

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1. Sanjay Singh, Son of Khantar Singh,
 2. Akhilesh Singh, Son of Bilash Singh,
 3. Bajrangi Singh, Son of Late Sohan Singh All Resident of Village-Khoparia, P.S.-Chousa, District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-09-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners seek bail in connection with Chousa P.S. Case No. 217 of 2016 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 385, 387, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that while he was watering his field, accused persons armed with rifle and pistol came there and demanded Rs. 50,000/- as rangdari. They opened fire in the air and took away 50 kilograms of fish worth Rs. 5,000/- from his brother.

It has been submitted by the learned counsel for the



petitioners that they are innocent, have not committed any offence and Section 307 of the Indian Penal Code is not made out against them. He submits that just because the petitioners have a criminal antecedent, they have been made accused in the present case and that petitioner no.1 is languishing in judicial custody since 27.03.2017 and petitioner nos. 2 and 3 are languishing in judicial custody since 29.04.2017 and 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 petitioners are veteran criminals and many cases are pending against them.

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 the learned Sub-Divisional Judicial Magistrate, Udakishunganj, District Madhepura in connection with Chousa P.S. Case No. 217 of 2016, subject to the condition that one of the bailors of each of the petitioners would be close relative having sufficient



immovable property within the jurisdiction of the concerned police station/ Court, who will 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 on two consecutive dates without assigning any reason will entail cancellation of their bail bonds. It is also made clear that if, in future, petitioners indulge in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of their bail bonds.

(Nilu Agrawal, J.)

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