

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16129 of 2017

Arising Out of PS.Case No. -324 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

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1. Sanjay Singh Son of Late Ramadhar Singh
2. Munna Singh Son of Sheo Shankar Singh Both residents of Village
Aswaan Tola, P.S. Jagdishpur, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar

For the informant : Mr. Lal Bahadur Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-04-2017 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Jagdishpur PS case no. 324 of 2016 for the offence under
Sections 307, 379 and other sections of the Indian Penal Code and
Section 25(1B)a/26/27 of Arms Act.

It is submitted on behalf of petitioners that though
it is a case under Section 302 of Indian Penal Code and also under
Section 307 of Indian Penal Code but no any specific allegation
has been attributed against any of these petitioners or against any
of the accused persons and the allegation is against 18 accused
persons jointly. It is further submitted that although all accused



persons assaulted on the person of the victim but only one injury was found which is grievous in nature. Moreover, the petitioners are in custody since 19.12.2016.

Heard learned A.P.P. Learned A.P.P. has also controverted the aforesaid fact.

Having heard both sides. In view of the fact that there is general and omnibus allegation against altogether 18 accused persons including the petitioners and petitioners are in custody for about 03 months, no specific allegation has been attributed against any of petitioners, FIR shows that occurrence took place due to ploughing of field and there is case and counter case pending between the parties, the bail application of petitioners is allowed and they are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) each with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-XI, Bhojpur at Ara in connection with Jagdishpur PS case no. 324 of 2016 subject to the condition that :

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.



(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the Court and on the event of failure on his 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 his bail bonds.

(Vinod Kumar Sinha, J.)

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