

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22316 of 2017

Arising Out of PS.Case No. -579 Year- 2015 Thana -NAWADA District- NAWADA

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1. Surendra Chauhan, Son of Ganesh Chauhan,
2. Ranjit Chauhan, Son of Rajendra Chauhan, Both resident of Village-
Balchand Bigha, P.S.- Nawada (Kadirganj), District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Sri Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2017 This is an application for grant of bail for offences punishable under Sections 341, 323, 324, 326 and 307/34 of the Indian Penal Code and 27 of the Arms Act.

Earlier petitioners had moved before this Court which was rejected vide order dated 2.3.2017 passed in Cr. Misc. no. 532 of 2017 with an observation that they may renew their prayer for bail after framing of charge in this case.

It has been submitted on behalf of the petitioners that charge has already been framed and the allegation of firing against the petitioners is not on the vital part of the deceased. Petitioner no. 1 is in custody since 2.10.2016 and petitioner no. 2 is in custody since 9.11.2016, i.e., for more than six months.

Heard learned A.P.P. also.



Having heard both sides, in view of the earlier observation of this Court and considering the fact that both petitioners have remained in custody for about six months, let above named petitioners be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge, 5th , Nawada, in connection with Sessions Trial no. 147 of 2017/26 of 2017 arising out of Nawada Town (Kadirganj) P.S. Case no. 579 of 2015 with the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.
- (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 in the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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