

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33136 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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1. Sudhakar Singh son of Late Arjun Singh,
2. Bhushan Singh @ Bhushan Kumar Singh Son of Sri Chandra Shekhar Singh, Both are Resident of Karmanchak, P.S. - Bhawanipur (Balua O.P.), District- Purnia. Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nagendra Upadhyay, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 19-08-2017 As prayed, learned counsel for the petitioners is permitted to make correction in the prayer portion of the petition, substituting the word "to the satisfaction of 3rd Additional Sessions Judge, Purnea, in Sessions Trial No. 275 of 2017" in place of "to the satisfaction of Sri Divya Prakash, Judicial Magistrate 1st Class, Purnea", in course of the day.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners are in custody since 24.03.2017 in connection with Sessions Trial No. 275 of 2017 arising out of Bhawanipur (Balua O.P.) P.S. Case No. 89 of 2016 for the alleged offences under Sections 302/34 of the Indian Penal Code.

4. It is submitted that the petitioners have been falsely implicated merely on suspicion and owing to political rivalry. Similarly situated co-accused namely Praduman Prasad Singh @ Praduman Singh, Awadhesh Singh @ Awadhesh Kr. Singh and Bipin Singh, Babul Kumar Singh have been granted bail by this Court in Cr. Misc. No. 35595 of 2017, Cr. Misc. No. 31538 of 2017 and Cr. Misc. No. 21128 of 2017 respectively. A supplementary affidavit has been filed in which it has been stated that charges have been



framed but no witnesses have been examined on behalf of the prosecution.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Purnea, in connection with Sessions Trial No. 275 of 2017 arising out of Bhawanipur (Balua O.P.) P.S. Case No. 89 of 2016 on the following conditions :-

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

Md. Ibrarul/BT

(Vikash Jain, J)

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