

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10231 of 2017

Arising Out of PS.Case No. -194 Year- 2016 Thana -BEUR District- PATNA

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1. Archana Singh @ Archana Sinha D/O Lakhna Prasad
2. Sona Devi W/o Lakhna Prasad
Both resident of Mahabir Nagar, 70 ft. Saryug Path, P.S. Beur, district – Patna at present residing at District Cooperative office, near SBI Main Branch, Nawada, P.S. – Nawada, District- Nawada.
3. Saraswati KUMari , W/o Shivnandan Prasad, Resident of Budhijivi Colony, P.S. – Beur, District- Patna.

..... .. Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai
For the Opposite Party/s : Mr. Sri Jai Narain Thakur
For the informant ; Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-03-2017 The petitioners are apprehending their arrest in connection with Beur P.S. Case No. 194 of 2016, registered for offences punishable under Sections 147, 148, 149 and 302 Indian Penal Code.

It has been submitted on behalf of the petitioners that there is allegation against these petitioners that they surrounded the deceased persons upon which one co-accused fired on him leading to his death, however, the falsity of the case will appear from perusal of F.I.R as well as materials collected during the case of enquiry as no case under Section 302 of Indian Penal Code is made out against these petitioners and they have been falsely



implicated due to land dispute. Petitioner no. 1 is a Government servant whereas petitioner nos. 2 and 3 are senior citizens and no specific allegation has been levelled against them rather the main allegation of firing has been levelled against one Lakhan Prasad.

Heard learned A.P.P. and learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides, in view of the fact that petitioner no. 1 is Government servant and petitioner nos. 2 and 3 are senior citizens and there is no chance that they will abscond further no specific allegation has been levelled against these petitioners, as such, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Savita Rani, learned Judicial Magistrate -1st Class, Patna in connection with Beur P.S. Case No. 194 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the conditions that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable



property within the jurisdiction of the concerned Court.

- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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