

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42158 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -BIHARSHARIF RAIL P.S. District- PATNA

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1. Nitish Kumar, Son of Bhola Yadav,
 2. Ram Jatan Kumar Son of Sooram Prasad, Both Village- Dumrawan, P.S.- Asthawan, District- Nalanda.
 3. Binay Kumar Son of Late Prakash Prasad, R/o Village- Khanppur, P.S.- Bind, District- Nalanda.

.... Petitioners/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

- 2 12-09-2017 The petitioners seeks regular bail in connection with G.R.P. Biharsharif P.S. Case No. 10/17, registered for offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 353, 333, 379, 427, 436 of the Indian Penal Code, Section 27 of the Arms Act, Section 3/4 of Prevention of Damage of Public Property and under Section 145, 146, 147, 150 and 153 of Railway Act.

Allegation against the petitioners and others is of creating obstruction in discharge of official duty of the police and also of damaging the public property.

It has been submitted on behalf of the petitioners that they are not named in the F.I.R, their names have been dragged in



this case during the course of investigation on suspicion and further no specific allegation has been attributed to any of the petitioners and they have been in judicial custody since 26.06.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that petitioners' name transpired in this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioners, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, Railway, Patna, in connection with G.R.P. Biharsharif P.S. Case No. 10/17, subject to the following conditions:-

- (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 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 on the event of failure on their part to
appear before the court below 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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