

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16909 of 2017

Arising Out of PS.Case No. -108 Year- 2016 Thana -BIHRA District- SAHARSA

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1. Tarjan Singh @ Sumit Kumar Singh Son of Jaswant Singh @ Yashwant Singh
2. Prince Singh Son of Mantun Singh Both Resident of Village- Patori, P.S.- Bihra, District- Saharsa (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mukund, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2017 The petitioners are in custody since 16.01.2017 in connection with Bihra P.S. Case No. 108 of 2016, registered for offences punishable under Sections 307, 379, 427, 504, 506, 448, 324, 323, 341, 147, 148, 149 and added Section 302 Indian Penal Code.

It has been submitted on behalf of the petitioners that though the case is under Section 302, however, allegation against the petitioners is of assault to informant and one other and specific allegation of assault to deceased is against co-accused of this case. Further injury caused to informant and one other by the assault made by the petitioners, were found to be simple in nature caused by hard and blunt substance. It has further been submitted that



there is case and counter case between the parties. Petitioners have been in judicial custody since 16.01.2017 and other co-accused persons have been granted bail by this Court vide order dated 18.03.2017, passed in Criminal Miscellaneous No. 7824 of 2017.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also that other co-accused persons have already been granted bail by this court, as such, 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 learned Munsif-cum-Judicial Magistrate-1st Class, Saharsa, in connection with Bihra P.S. Case No. 108 of 2016, 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 two
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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