

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18715 of 2017

Arising Out of PS.Case No. -3 Year- 2016 Thana -SUIYA District- BANKA

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1. DHANU HEMBRAM @ DHANO HEMBRAM, S/o Vanshi Hembram,
2. Mohan Hembram, S/o Surju Hembram,
Both resident of Village- Baghela, P.O.- Bhelwa, Police Station- Suiya,
District- Banka..... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 15-05-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Suiya P.S.
Case No. 03 of 2016 registered for the offences punishable under
Sections 147, 148, 149, 307, 504 of the Indian Penal Code in
which Section 302 IPC was added later on.

It is submitted on behalf of the petitioners that against
Dhanu Hembram petitioner no. 1 there is no allegation for
committing assault to anyone and so far as against petitioner no. 2
Mohan Hembram it is alleged that he and others assaulted the
informant and Munna Hembram and also to other family
members. The petitioner is in custody since 13.01.2017,
chargesheet has already been submitted and there is no chance of



tampering with the prosecution evidence. Surendra Hembram one of the co-accused has been allowed bail vide Cr. Misc. no. 9890 of 2017 and as such the petitioners also deserve sympathetic consideration as the petitioners are not the assailant.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Banka in connection with Suiya P.S. Case No. 03 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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