

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10998 of 2018

=====

1. Chandan Kumar,
2. Dharamveer Kumar, both sons of Gulab Singh
3. Golu Kumar son of Lakshman Singh,
All Residents of Village- South Bhadas, P.S. Muffasil, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kumar Ravish
Mr. Jai Kishor Poddar
Mr. Kashyap Kaushal
For the Opposite Party/s : Smt. Asha Kumari

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Khagaria
Muffasil P.S. Case No. 617 of 2016, G.R. No. 2261 of 2016 for
offences punishable under Section 302 and other allied Sections of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while her husband Ramanand Prasad Singh came to his house
on a bicycle, some of the co-accused surrounded him and started
assaulting him by means of iron rod and lathi. Thereafter the
petitioners along with other co-accused also assaulted by means of



lathi and danda, as a result her husband succumbed to the injuries and her brother-in law and daughter were also injured in such assault.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have been falsely implicated in the aforesaid case because of property dispute being of the same village. He submits that the allegations upon the petitioners are general and omnibus and that it was in the second round of assault that the petitioners have been named and one of the accused persons, who assaulted along with the petitioners, has already been granted privilege of bail in Cr. Misc. No. 18810 of 2017 vide order dated 20.06.2017 and also the co-accused, who assaulted the informant's husband first, have also been granted privilege of bail by coordinate Benches of this Court.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with



Khagaria Muffasil P.S. Case No. 617 of 2016, G.R. No. 2261 of 2016 , subject to the conditions that:

- (1) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (2) The petitioners will not induce any witness or tamper with the evidence.
- (3) 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 is free to move for cancellation of their bail.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

