

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13092 of 2018

Arising Out of PS.Case No. -100 Year- 2017 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Ramnagina Singh, Son of Late Dasai Singh,
2. Dinesh Singh, Son of Ramnagina Singh,
3. Murari Singh, Son of Dinesh Singh, All resident of Village- Dhanougi,
Police Station- Pakridayal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-04-2018 The petitioners are apprehending their arrest in connection with Pakaridayal P.S. Case No. 100 of 2017, registered for offences punishable under Sections 147, 148, 149, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners and others is of assaulting the informant and his realtives.

It has been submitted on behalf of the petitioners that no specific allegation has been levelled against the petitioners rather the specific allegation has been levelled against other co-accused persons of this case and other similarly situated co-accused of this case has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order 11.01.2018, passed in



Cr. Misc. No. 582/2018

Learned counsel for the State as well as learned counsel for the informant has opposed the prayer for bail and submitted in this case process under Section 82 of Cr.P.C. has been issued against petitioner nos. 2 and 3 including other co-accused of this case and on that ground prayer for anticipatory bail of some of the co-accused of this case has already been rejected vide order dated 21.02.2018, passed in Cr. Misc. No. 9761 of 2018.

Having heard both sides, in view of the above facts and circumstances, so far petitioner no. 3, is concerned, considering the facts and circumstances of the case, let petitioner no. 3, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned ACJM -V, Motihari, in connection with Pakaridayal P.S. Case No. 100 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as 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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

So far petitioner nos. 1 and 2 are concerned, I am not inclined to grant the privilege of anticipatory bail to them rather they are directed to surrender before the court below and pray for regular bail and if any such application is filed, the court below shall consider the prayer of these petitioners, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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