

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2772 of 2018

Arising Out of PS. Case No.-181 Year-2017 Thana- KURTHA District- Jehanabad

1. Shiv Bachan Das son of Kameshwar Das
2. Samat Yadav son of Chhapit Yadav Both are resident of village Chamandi P.S.Kurtha Dist. Arwal.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath
For the Opposite Party/s : Mr. M.Dayal APP

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

22 15-01-2018 Heard learned counsel for the petitioners and Mr. Dayal APP for the State.

On secret information, the police arrived at the house of the petitioner no.1 located outside the village and apprehended one Chandradeo Yadav with one country made rifle. No other fire arm was found there. It is alleged that accused persons seeing the police escaped from the place. Subsequently, the apprehended accused gave out the name of the petitioners as those who were present.

Learned counsel submits that on the basis of the confessional statement the name of the petitioners have been transpired. No other fire arm was found in the hut except one in possession of co-accused Chandradeo Yadav. The petitioners have no criminal antecedent.



Considering the aforesaid submissions, let the petitioners, named above, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction learned C.J.M. Arwal, in connection with Kurtha P.S. case no. 181 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure subject to the further following conditions:

(i) One of the bailors in each case shall be the own/close family members.

(ii) No sooner the charges are framed, they shall appear in person before the Court below on each and every date fixed thereat. In case of default in doing so on two consecutive dates without any cogent/satisfactory reason, the trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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