

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27661 of 2018

Arising Out of PS.Case No. -44 Year- 2018 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Pradeep Patel, Son of Tejpati Patel, resident of Village Mokaram, P.S. Bhagwanpur, District- Kaimur at Bhabua at present Village Mahuat, P.S.- Sonhan, District Kaimur at Bhabua.

2. Rajaram Patel @ Raja Ram Choudhary, Son of Late Laxaman Patel, resident of Village Mokaram P.S. Bhagwanpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Bhagwanpur P.S.Case nO.44 of 2018 , registered for offences punishable under Sections 341, 323, 307, 447/34 of the Indian Penal Code.

Allegation against the petitioners as per FIR is that son of the informant came in the drunken condition as such altercation took place and the petitioner assaulted the informant.

Submission of the learned counsel for the petitioners is that the FIR itself shows that son of the informant came in the drunken condition which was informed by the petitioners as such they have been falsely implicated in this case and moreover as per FIR the allegation against petitioner no.1 is of assault to the informant and



injury was found to be simple in nature and no specific allegation has been attributed against the petitioner no.2.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Kaimur at Bhabhua in connection with Bhagwanpur P.S.Case nO.44 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With 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 co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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