

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48265 of 2018

Arising Out of PS.Case No. -327 Year- 2017 Thana -SAMASTIPUR District- SAMASTIPUR

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1. Nikesh Kumar @ Nikesh Kumar Rai, S/o Kaushal Nand Kishor,
 2. Avinash Kumar @ Rassi @ Abinash Kumar, S/o Birendra Kumar @ Jitendra Kumar, Both are R/v- Indra Nagar, P.S.- (Mufasil), Distt- Samastipur.
 3. Awadhesh Kumar, S/o Birju Paswan, R/v- Amirganj, P.S.- Mufasil, Dist- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in Samastipur (Town) P.S. Case No. 327/2017, registered for the offences punishable under Sections 147, 148, 149, 307, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

Allegation against the petitioners and others, is that they opened fire on other rival group and after seeing the police party fled away.

It has been submitted that petitioners have falsely been implicated in the case. No incriminating article has been recovered



from the house of the petitioners. They were not apprehended on the spot. Local people disclosed their names.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in connection with Samastipur (T) P.S. Case No. 327/2017, subject to the conditions :

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.
- (3.) If the petitioners tamper with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the petitioners.

(S. Kumar, J)

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