

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51114 of 2018

Arising Out of PS.Case No. -147 Year- 2018 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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1. Manish Kumar, S/o Anil Prasad, R/o Vill.- Netar, P.S.- Daniyawan,
District- Patna.
2. Pankaj Kumar S/o Subodh Prasad @ Subodh Kumar (Mahto), R/o Vill.-
Madhopur Dih, P.S. - Chandi, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-09-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Chandi P.S.Case no.147 of 2018 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 307, 435, 504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners is of firing on the informant but that did not hit anybody.

Submission of the learned counsel for the petitioners is that the whole allegation is absurd, which will appear from perusal of the written report, showing that the firing was made from close range but that did not hit anybody. Moreover, there is enmity between the cousin brother of the petitioner with the informant



and for that they have lodged this case.

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 ACJM, Hilsa, Nalanda in connection with Chandi P.S.Case nO.147 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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