

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21535 of 2018

Arising Out of PS.Case No. -141 Year- 2017 Thana -BATHNAHA District- SITAMARHI

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1. Vijay Singh @ Vijay Kumar Singh @ Bijay Kumar @ Bijay Singh @
Bijay Kumar Singh,
2. Sanjay Singh @ Sanjay Kumar Singh @ Sanjay Kumar Both Sons of
Late Sitaram Singh, R/o Village- Kishanpur, P.S.- Bathnaha, District-
Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-05-2018 Heard learned counsel for the petitioners and learned

counsel appearing on behalf of the informant as well as learned

Additional Public Prosecutor for the State.

The petitioners are in custody since 17.10.2017 in
connection with Bathnaha P.S. Case No. 141/2017 registered for
the offences punishable under Sections 147/148/149/341/323/307/
302/379/504/506 of the Indian Penal Code and 27 of the Arms
Act.

The matter was heard at length on the previous
occasion and their prayer for bail was rejected with liberty to the
petitioners to renew their prayer for bail after framing of charge.

Learned counsel for the informant submits that the
present case is of very serious nature and the trial has progressed.



It is further submitted that once the petitioners would be released, the trial of the case would linger indefinitely and not reach to its logical conclusion and, therefore, it would be advisable in the interest of justice not to reconsider the prayer for bail and decline the same as it would occasion miscarriage of justice.

Learned counsel appearing on behalf of the petitioner, however, submits that he is willing to honour terms and conditions which would be imposed on him including presenting himself on all occasions before the Trial Court so that the trial does not linger and is not delayed. It is further submitted that another similarly situated co-accused who have been given the liberty to make prayer for bail after framing of charge have since been extended the privilege of bail.

Considering the aforementioned facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Sitamarhi, in connection with Bathnaha P.S. Case No. 141/2017, subject to the following conditions:-

- (1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their



wife.

- (2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.
- (3) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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