

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74500 of 2018

Arising Out of PS. Case No.-75 Year-2018 Thana- BALIYA District- Begusarai

1. Dilip Singh @ Dilin Singh S/o Ramanand Singh,
2. Dhanraj Singh, S/o Indradev Singh,
3. Kari Singh, S/o Panchu Singh, All are Resident of Village- Hasanpur Diyara,
P.S.- Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Sri Chandra Bhushan Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 21-12-2018 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Ballia P.S. Case No. 75 of 2018 registered for the offences punishable under Section 302, 364/34 of the Indian Penal Code.

Informant has alleged that in the evening while her husband went to harvesting the wheat in the meantime all the F.I.R. named accused persons including petitioners conspired with each other with an intention to kidnapped and kill her husband.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case. There is no eye-witness of the occurrence. There is land dispute going on between the



parties due to which petitioners were implicated in the present case. Petitioners are in custody since 13.08.2018. Similarly placed co-accused has been granted bail by co-ordinate bench of this court passed in Cr. Misc. No. 71456 of 2018 vide order dated 10.12.2018

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Ballia P.S. Case No. 75 of 2018, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tampers 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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