

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20933 of 2018

Arising Out of PS.Case No. -175 Year- 2017 Thana -AHIAPUR District- MUZAFFARPUR

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1. Santosh Kumar, S/o Bholu Sah,
2. Mukesh Sah S/o Vishwanath Sah,
3. Ram Lal Sah S/o Late Ramdeo Sah, All R/o Village- Bhikhanpur, P.S.-
Ahiyapur, District- Muzaaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 26-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Ahiyapur P.S.Case no.175 of 2017 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 387, 307, 379, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners and other accused persons is of assault to the informant and other persons.

Submission of the learned counsel for the petitioners is that there is general and omnibus allegation and no specific allegation has been attributed and the injury report is also not available on the record.

Heard learned A.P.P. also, who has pointed out that though



he was discharged from the hospital after 14 days but the injury is not available on the record.

Having heard both sides and in view of allegation general and omnibus in nature, 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, Muzaffarpur in connection with Ahiyapur P.S. Case nO.175 of 2017 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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