

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55219 of 2018

Arising Out of PS.Case No. -177 Year- 2018 Thana -KAKO District- JEHANABAD

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1. Arundeo Kumar @ Arun Kumar, S/o Krishnadeo Yadav @ Mohan,
2. Vishwanath Yadav S/o Late Rameshwar Yadav,
3. Geeta Devi W/o Krishnadeo Yadav @ Mohan, All are R/o Vill.- Kothiya,
P.S.- Kako, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 232, 447, 307, 504/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Kako P.S. Case No. 177 of 2018.

3. It is submitted that the petitioner has been falsely implicated. The occurrence has taken place in the background of land dispute between the parties. Specific allegation of firing with pistol in the stomach of informant's brother, Rampravesh is against co-accused Krishnadev Yadav. There is general and omnibus allegation against the petitioner. Petitioner no. 1 as well



as his father has instituted other cases against the informant. Petitioner no. 3 is said to have assaulted Pratima Devi with *Lathi* and *Danda*, causing injury, which is said to be simple in nature.

4. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Kako P.S. Case No. 177 of 2018 subject to the conditions as laid down under Section 438(a) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioners.
- (ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioners shall co-operative 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.



(iv) 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 reason, his bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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