

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62949 of 2017

Arising Out of PS.Case No. -137 Year- 2017 Thana -NARDIGANJ District- NAWADA

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1. Suresh Singh, Son of Late Sukar Singh,
2. Sudarshan Singh, Son of Awadh Singh,
Both resident of Village- Lodipur Jafara, P.S.- Nardiganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 01-02-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners apprehend arrest in connection with Nardiganj
P.S. Case No.137 of 2017 registered for the offences under
Sections 147, 148, 341, 323, 307, 379, 504 and 506 of the Indian
Penal Code.

It has been submitted that the allegation of assault is
omnibus. Petitioner no.1 is alleged to be order giver and on the
order of petitioner no.1, petitioner no.2 allegedly assaulted the
father-in-law of the informant. The learned counsel for the
petitioners submits that the father-in-law of the informant died
about six years ago. The allegation of assault to cousin father-in-
law of the informant is against other co-accused. The injury
reports of two injured, namely, Lalan Singh and Bijli Singh



show that they sustained injury caused by hard and blunt substance and all the injuries were simple in nature. The petitioners have clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioners, in the event of arrest or surrender before the learned court below within six weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the likewise amount each to the satisfaction of learned A.C.J.M. VI, Nawada in connection with Nardiganj P.S. Case No.137 of 2017, subject to the conditions as laid down under Section 438(2) of Cr.P.C., with further conditions that:-

- (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) If the petitioners are found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

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(Sanjay Kumar, J)

