

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21397 of 2018

Arising Out of PS.Case No. -121 Year- 2016 Thana -BIHIYA District- BHOJPUR

- =====
1. Rama Swami @ Rama Swami Yadav S/O Krishna Biarhi Singh @ Tej Narayan Singh
 2. Kripa Narayan Singh @ Kripa Singh S/O Late Chandrika Singh
 3. Lal Babu Yadav S/O Late Mohan Yadav
 4. Santosh Kumar Yadav @ Santosh Yadav S/O Kripa Narayan Singh @ Kripa Singh
- All R/O village Varashra Mangit, P.S. Bihiya, District Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-06-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Bihiya P.S.Case No.121 of 2016 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 337, 302 and 304 of the Indian Penal Code and Section 27 Arms Act.

Allegation against the petitioners is that they along with the other accused persons assaulted the brother of the informant and specific allegation of assault is on Bhola Yadav.

Submission of the learned counsel for the petitioners is that no allegation of assault is against the petitioners and they are simply members of the mob and they have not even touched the body.

Heard learned A.P.P. also, who has not controverted the



above facts.

Having heard both sides and in view of the facts and circumstances, as stated above, 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 A.C.J.M. 5th, Bhojpur at Ara in connection with Bihiya P.S.Case no.121 of 2016 dated 28.4.2016, 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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