

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40131 of 2018

Arising Out of PS.Case No. -57 Year- 2018 Thana -BARBIGHA District- SEKHPURA

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1. VISHWAKARMA MISTRY @ VISHWAKARMA SHARMA, Son of Bhagirath Sharma,
2. Shailendra Kumar, Son of Murari Ram,
3. Raushan Kumar, Son of Mohan Sharma,
4. Mithlesh Kumar, Son of Karu Sharma,
5. Vikas Kumar, Son of Dabbu Sharma, All residents of Village- Maur, Police Station- Barbigha, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Barbigha P.S.Case no.57 of 2018 , registered for offences punishable under Sections 147, 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

Allegation against the petitioners is of assault by hockey stick to the informant and his brother.

Submission of the learned counsel for the petitioners is that while they were playing, the scuffle took place and no specific allegation has been attributed against the petitioners and there is case and counter case between the parties.



Heard learned A.P.P. also.

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 C.J.M., Sheikhpura in connection with Barbigha P.S. Case no.57 of 2018, 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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