

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41471 of 2018

Arising Out of PS.Case No. -120 Year- 2017 Thana -OBRA District- AURANGABAD

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1. Nand Kishore Singh,
2. Ram Sakal Singh Both are Sons of Late Kedar Singh, R/o Vill.- Akauna,
P.S.- Obra, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate

: Mrs. Meena Singh, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-08-2018 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State. Learned counsel for the

informant is also present.

The petitioners have been in custody since
24.07.2017 in connection with Obra P.S. Case No. 120/2017
registered for the offences punishable under Sections 302/307/
323/324/325/326/504/147/148/149 of Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel for the petitioners submits that in
view of the fact that the petitioners have already been in custody
for over a year, the petitioners seek to renew their prayer for bail.
It is further submitted that though there is allegation against the
petitioners that they had attacked with the butt of gun, the
petitioners are willing to co-operate in the trial and since



commitment of the case has not yet been made, they may be extended the privilege of bail.

Learned counsel for the informant is also present and resists the application for bail.

In view of the aforementioned facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Daudnagar, Aurangabad in connection with, Obra P.S. Case No. 120/2017, subject to the following conditions:-

- (1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.
- (3) 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 reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioners shall co-operate 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.

The concerned Court is however, directed to ensure that the case is committed at an early date and, if necessary, the trial of those accused who have already been taken into custody be bifurcated and the petitioners shall then co-operate in the trial in accordance with the terms and conditions.

(Anjana Mishra, J)

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