

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5344 of 2019

Arising Out of PS. Case No.-309 Year-2018 Thana- RIGA District-
Sitamarhi

- =====
1. Ranjeet Prasad aged about 46 years, (Male) S/o Late Tej Narain Prasad @ Tej Narain, Resident of Village- Ram Nagra, P.S- Riga, District- Sitamarhi
 2. Shyam Prasad aged about 31 years, (Male) S/o - Ram Chhabila Sah @ Chhabila Prasad, resident of village- Ram Nagra, P.S. Riga, District- Sitamarhi.
 3. Madan Kumar @ Madan Prasad aged about 44 years, (Male) son of Braj Bihari Prasad @ Bihari Prasad, resident of village- Ram Nagra, P.S. Riga, District- Sitamarhi.
 4. Mahesh Prasad aged about 44 years, (Male), son of Late Prabhu Prasad resident of village- Ram Nagra, P.S. Riga, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Prabhat Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 31-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 447, 341, 323, 436, 427, 337, 338, 504, 506, 153, 153(A), 295, 295(A) and 120(B) of the Indian Penal Code registered in connection with Riga P.S. Case No. 309 of 2018.

3. It is submitted that the petitioners have been falsely implicated and this is the second of two F.I.Rs. instituted in respect of the same occurrence with regard to dispute at the time of idol immersion. The first F.I.R. was instituted against as many as 56 named accused including the petitioner nos. 1 and 4 as also the informant at the instance of the Circle Officer. The present F.I.R. has been instituted by the informant a day later but himself



is an accused of the first F.I.R. The accusations are general and omnibus in nature. Petitioner nos. 2 and 3 claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 309 of 2018, subject to the conditions as laid down under Section 438 (2) 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) The petitioners shall cooperate 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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