

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2762 of 2019

Arising Out of PS. Case No.-304 Year-2018 Thana- CHAINPUR District-
Bhabhua (Kaimur)

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1. Sikandar Ram aged about 28 years, Mala, son of Ram Surat Ram resident of Village-Baradhi,P.S. Chainpur,Dist.-Kaimur at Bhabjua
 2. Sonu Ram @ Jannu Ram aged about 20 years, male, son of Ram Surat Ram resident of Village-Baradhi,P.S. Chainpur,Dist.-Kaimur at Bhabua
 3. Kamal Ram aged about 55 years, male, Son of Kishun Ram Resident of Village-Kakari Kundi,P.S. Chainpur,Dist. -Kaimur at Bhabua
 4. Pappu Ram aged about 30 years, male, son of Kamal Ram Resident of Village-Kakari Kundi,P.S. Chainpur,Distt.-Kaimur atr Bhabua
 5. Jokhu Ram aged about 30 years, male, son of Late Ram Janam Ram Resident of Village-Ashoga,P.S. Durgawati,Dist.-Kaimur at Bhabua

... .. Petitioners

Versus

The State Of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Rajani Kant Pandey,Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 447, 448, 379, 307 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Chainpur P.S. Case No. 304 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the accusations are general and omnibus in nature. There is admitted land dispute between the parties for which Title Suit No. 56 of 2000 is pending before the learned Sub-Judge-VIII, Kamur at Bhabhua. There is case and counter case between the parties. No injury has been sustained by the prosecuting party. The petitioners claim clean antecedent.



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, Kaimur at Bhabhua in connection with Chainpur P.S. Case No. 304 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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