

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2272 of 2019

Arising Out of PS. Case No.-262 Year-2018 Thana- MIRGANJ District- Gopalganj

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Guddu Dubey son of Sugriv Debey, Resident of Village- Kasim Samail, P.S.-
Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar. Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 4696 of 2019

Arising Out of PS. Case No.-262 Year-2018 Thana- MIRGANJ District- Gopalganj

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Kedar Pal, aged about 45 years, son of Sri Krishna Pal, resident of village-
Peuli, P.S. Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In Criminal Miscellaneous No. 2272 of 2019)

For the Petitioner/s : Mr.Devanand Tiwari

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

(In Criminal Miscellaneous No. 4696 of 2019)

For the Petitioner/s : Mr.Viveka Nand Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 11-02-2019 Heard learned counsel for the petitioners and

learned counsel for the State.

Petitioners, who are in custody, seek bail in
connection with Mirganj P.S. Case No. 262 of 2018 registered
for the offence punishable under Sections 341, 323, 327, 307
and 379/34 of the Indian Penal Code.



Informant has alleged that on 13.09.2018 when he was going to his office in mid way accused Guddu Dubey, accused Kedar Pal and accused Chhotu Lal Singh stopped his motorcycle and snatched Rs. 5 lacs and also fired upon him which hit his left hand and thereafter they fled away. He has also alleged that previously also he had given Rs. 16 lacs to them for which dispute between the parties is still continuing.

It has been submitted on behalf of petitioners that they are innocent and have been falsely implicated in this case because of land dispute between the parties and just to pressurize them present case with false and concocted allegations has been instituted. Although charge sheet has already been submitted in this case but no injury report has been obtained by the Investigating Officer.

It has been submitted that petitioners have no criminal antecedent except one case being Mirganj P.S. Case No. 261 of 2018 under Section 406, 420 of IPC lodged by informant of this case. Petitioners are in custody since 17.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each



with two sureties of the like amount each to the satisfaction of
learned A.C.J.M. XVI, Gopalganj, in connection with Mirganj
P.S. Case No. 262 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient
immovable property within the jurisdiction of the
court concerned.

(2) Petitioners shall co-operate in the trial and
shall be properly represented on each and every date
fixed by the court and their absence on two
consecutive dates without proper and sufficient
reason the trial court will be at liberty to cancel their
bail bond.

(3) If the petitioners tampers with the evidence or
the witnesses of the case, in that case, prosecution
will be at liberty to move for cancellation of bail of
the petitioners.

(S. Kumar, J)

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