

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6818 of 2019

Arising Out of PS. Case No.-108 Year-2016 Thana- MAINATAND District- West Champaran

1. MUNNA RAM, Son of Ramadhar Ram Resident of Village- Singhpur, P.S. Mainatand, District- West Champaran.
2. Ramayan Ram Son of Late Tilak Ram Resident of Village- Singhpur, P.S. Mainatand, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 04-04-2019 Heard learned counsel for the parties.

Petitioners, who are in custody, seek bail registered for the offences punishable under Sections 188, 382 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

Allegation against petitioners is that in spite of the direction of Hon'ble High Court passed in Cr.W.J.C. 426 of 2015, petitioner continued to harvest the paddy crops from the agricultural field of the informant on gun point.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. There is no specific allegation of any overtact against the



petitioners. It has been further submitted that similarly placed co-accused have been granted bail by co-ordinate Bench of this Court vide order dated 10.05.2017 passed in Cr. Misc. No. 18876 of 2017, vide order dated 08.09.2017 passed in Cr. Misc. No. 41786, vide order dated 03.12.2018 passed in Cr. Misc. No. 68971 of 2018, vide order dated 18.04.2018 passed in Cr. Misc. No. 22781 of 2018 and vide order dated 17.05.2017 passed in Cr. Misc. No. 20754 of 2017. They are not a member of any extremist group. Petitioner no.1 is in custody since 29.10.2018 and petitioner no.2 is in custody since 16.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Mainatand P.S. Case No. 108 of 2016 (Trial No. 2455 of 2018)**, with following conditions:-

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

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner 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 petitioner.

(S. Kumar, J)

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