

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9099 of 2019

Arising Out of PS. Case No.-322 Year-2018 Thana- KHAIRA District- Saran

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1. PAPPU SAH Son of Shambhu Sah Resident of Village - Nagra, P.S.- Nagra, O.P/Khaira, District- Saran
 2. Madan Sah Son of Puren Sah Resident of Village - Rasulpur, P.S.- Nagra, O.P/Khaira, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-02-2019 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in connection with Khaira (Nagra) P.S. Case No. 322 of 2018 for offences punishable under Section 307 and other allied Sections of the Indian Penal Code.

The prosecution case, as lodged by the police personnel, is that in Nagra Bazar firing broke out and 25 named accused along with 50-60 unknown persons ransacked Nagra Police Station in which some police officials got injury.

It has been submitted by the learned counsel for the petitioners that they are innocent, their shops were situated in the market which got burnt, allegations are general and



omnibus and it was a mob attack. It is further submitted that some of the co-accused named in the First Information Report have been granted pre-arrest bail by this Court. Petitioners are languishing in judicial custody since 20.12.2018 and undertake not to induce the witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioners do not have a clean antecedent as four more cases are pending against them.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged 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 learned Chief Judicial Magistrate, Saran at Chapra, in connection with Khaira (Nagra) P.S. Case No. 322 of 2018, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.

(ii) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to



move the learned court below for cancellation of their bail
bonds.

(Nilu Agrawal, J)

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