

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10125 of 2019

Arising Out of PS. Case No.-376 Year-2018 Thana- RAJGIR District-
Nalanda

- =====
1. Ajay Kumar Patel aged about 45 years, male, Son of Late Ramsharan Prasad
 2. Vivek Kumar @ Karu aged about 32 years, male, Son of Umesh Prasad
 3. Sunil Kumar aged about 38 years, male, Son of Late Ramjee Prasad
All three resident of Village- Nahub, P.S. Rajgir, district- Nalanda
 4. Krishna Prasad aged about 49 years, male, Son of Late Sukhdeo Mahto
Resident of Village- Hasanpur, P.S.- Rajgir. Distt - Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Kumar No.1, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-02-2019 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, 427, 341, 323, 307 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Rajgir P.S. Case No. 376 of 2018.

3. It is submitted that the petitioners has been falsely implicated in the backdrop of land dispute between the parties and for which Title Suit No. 271 of 2018 has been filed by the petitioner no. 1 in which the informant is defendant no. 4. The accusations are general and omnibus in nature and no injury has been caused to anyone. Petitioner nos. 2, 3 and 4 claims clean antecedents whereas petitioner no. 1 has been made accused in one other case of different nature.

4. Be that as it may, 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, Nalanda in connection with Rajgir P.S. Case No. 376 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) That 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) That 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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