

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12627 of 2019

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

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1. KRISHNA BYAHUT @ KRISHNA PRASAD Son of Late Ramnath Sah @ Late Ramnath Prasad Resident of Village- Nagra, P.S.- Khaira (Nagra O.P.), District- Saran
 2. Kumar Sah Son of Late Ramnath Sah @ Late Ramnath Prasad Resident of Village- Nagra, P.S.- Khaira (Nagra O.P.), District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad
For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-03-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 353, 307, 332, 333, 504. 427, 452 IPC registered in connection with Khaira (Nagra O.P.) P.S. Case No. 322 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the FIR is against as many as 25 named and 50-60 unknown persons. The petitioners merely happened to be in the vicinity and the accusations are general and omnibus in nature without any specific accusation attributed to the petitioners. Similarly situated co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. No. 9596 of 2019. The petitioners claim clean antecedents.

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 ACJM X, Saran at Chapra, in connection with Khaira (Nagra O.P.) P.S.Case No. 322 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 co-operate 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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