

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13474 of 2019

Arising Out of PS. Case No.-155 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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1. Rohit Singh, son of Ravindra Singh Resident of Village - Vijaypur, Harijan Toli, P.S.-Balmikinagar, District - Bagaha, West Champaran
 2. Rakesh Ram, Son of Suresh Ram Resident of Village - Vijaypur, Harijan Toli, P.S.-Balmikinagar, District - Bagaha, West Champaran
 3. Brijesh Ram, Son of Awadh Ram Resident of Village - Vijaypur, Harijan Toli, P.S.-Balmikinagar, District - Bagaha, West Champaran
 4. Chhotu Ram, Son of Late Balaram Resident of Village - Vijaypur, Harijan Toli, P.S.-Balmikinagar, District - Bagaha, West Champaran
 5. Rudal Ram, Son of Naka Ram Resident of Village - Vijaypur, Harijan Toli, P.S.-Balmikinagar, District - Bagaha, West Champaran
 6. Sushil Ram, Son of Harindra Ram Resident of Village - Vijaypur, Harijan Toli, P.S.-Balmikinagar, District - Bagaha, West Champaran
 7. Vishwanath Ram, Son of Kanchan Ram Resident of Village - Vijaypur, Harijan Toli, P.S.-Balmikinagar, District - Bagaha, West Champaran
 8. Anirudh Mahto @ Reliance Son of Dharmdeo mahto, Resident of Village - Vijaypur, Harijan Toli, P.S.-Balmikinagar, District - Bagaha, West Champaran
 9. Chhotu Mian, Son of Late Domai Resident of Village - Tin R.D. Pool, P.S.-Valmikinagar, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners apprehend their arrest for the
offences alleged under Sections 27, 29, 31 of W.L.P. Act



registered in connection with I.F. P.S. Case No. 155 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in a substantially similar FIR in Balmiki Nagar P.S. Case No.94 of 2018 instituted on the basis of letter No.30 dated 18.12.2018, the petitioners have been granted anticipatory bail by this Court in Cr. Misc. No.11324 of 2019. The present FIR has been instituted on the basis of letter No.31 of the same date. The accusations are general and omnibus in nature and no specific accusation has been made against the petitioners with respect to the improbable accusation that 30 pieces of wood were being carried by two persons on a motorcycle. Except the aforesaid case, the petitioner claims clean antecedent.

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 provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M.-Ist Class, Bagaha, West Champaran in connection with I.F. P.S. Case No. 155 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 of each of the petitioner shall be their close relatives.

(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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