

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12078 of 2019**

Arising Out of PS. Case No.-110 Year-2018 Thana- AKBARPUR District-
Nawada

- =====
1. Chhotu Das @ Billu aged about 30 years, male, Son of Late Ram Pravesh Das R/o village- Chhitauni, P.S- Basdih, District- Balia(U.P)
 2. Kaushal Mishra @ Puttu @ Puchchu @ Puchu aged about 34 years, male, Son of Indradeo Mishra R/o village- Fulma, P.S- Akbarpur, District- Nawada

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Vibhuti Ranjan Sonvadra, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-02-2019 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, 341, 323, 385, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Akbarpur P.S. Case No. 110 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute between the parties and the accusation that petitioner no. 1 caught hold of the informant and petitioner no. 2 along with other co-accused persons assaulted the informant and his brother with *lathi, dunda*. It is submitted that similarly situated co-accused Ravi Kumar @ Ravi Prakash Mishra, Kailash Das and Durga Das have been granted anticipatory bail by this Court in Cr. Misc. No. 45207 of 2018. 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 Additional Chief Judicial Magistrate-I, Nawada in connection with Akbarpur P.S. Case No. 110 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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