

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29321 of 2019**

Arising Out of PS. Case No.-157 Year-2018 Thana- BELHAR District-
Banka

- =====
1. CHANDAN SINGH @ CHANDAN KUMAR SINGH Son of Ashok Singh @ Ashok Kumar Singh Resident of Village - Kanimoh, P.S.- Belhar, District - Banka
 2. Ashok Singh @ Ashok Kumar Singh Son of Late Gajadhar Singh Resident of Village - Kanimoh, P.S.- Belhar, District - Banka

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Brij Nandad Prasad, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-05-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 308 and 504/34 of the Indian Penal Code registered in connection with Belhar (Khesar) P.S. Case No. 157 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of petty dispute and there is case and counter case between the parties. There is no injury report on record to substantiate the accusation of assault with lathi on petitioner no. 1. It is submitted that there is no accusation of assault whatsoever against petitioner no. 2. 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-III, Banka in connection with Belhar (Khesar) P.S. Case No. 157 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 petitioners shall be their close relatives other than the petitioners herein.

(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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