

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19785 of 2019

Arising Out of PS. Case No.-361 Year-2015 Thana- HILSA District- Nalanda

1. Shambhu Saran Singh, aged about 49 years (male) Director of St. Joseph's School Chiksaura Road, Hilsa, Son of Late Ram Briksh Singh, Resident of Mohalla-Daroga Kuan (Saida Bijar), Police Station-Hilsa, District- Nalanda.
2. Nawal Kumar Sinha, aged about 56 years (male) Director of Ravindra Academy Bajrang Bagh, Hilsa Son of Late Lala Prasad, Resident of Village- Sadanpura, Police Station- Chandi, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Anil Kumar Singh, Advocate

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-04-2019 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, 323, 337, 353, 427, 283, 332, and 307/504 of the Indian Penal Code, Section 3/4 of Damage of Public Property Act; and Section 151 of the Railway Act, 1989 registered in connection with Hilsa P.S. Case No. 361 of 2015.

3. It is submitted that the petitioners have been falsely implicated in connection with a mob of about 300-400 persons said to have blocked the road pursuant to death of one Devendra Prasad, Director of D.P.S. School, Hilsa and thereafter pelted stone upon the police personnel on the alleged date of occurrence. Similarly situated accused persons Upendra Singh @ Upendra Kumar and Sanjay Kumar Yadav @ Sanjay Kumar Verma; and Raj Kishore Prasad have been granted anticipatory bail by this Court vide orders dated 20.11.2018 and 26.03.2019 passed in Cr. Misc. No. 60383 of 2018 and Cr. Misc. No. 16884 of 2019 respectively. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 361 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners 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 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.

(iv) 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.

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(Vikash Jain, J)

