

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23043 of 2019

Arising Out of PS. Case No.-110 Year-2018 Thana- BARAULI District- Gopalganj

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1. Prabhu Nath Singh, Sex-Male, aged about 58 years, Son of Late Guljar Singh
 2. Raju Kumar @ Raju Singh, Sex-Male, aged about 25 years, Son of Prabhu Nath Singh
- Both are residents of Village- Bagheji, P.S.- Barauli, District- Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Javed Aslam, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-04-2019 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, 341, 323, 324, 325 and 302 of the Indian Penal Code registered in connection with Barauli P.S. Case No. 110 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event, the accusations against the petitioners are only of assault with *lathi and danda* on the feet and knee-joint of the deceased. Similarly situated accused persons, namely, Rama Kant Singh, Ratan Singh @ Ratanlal Singh, Chandan Kumar @ Handan Kumar, Ranjeet Kumar and Mithilesh @ Mithilesh Kumar against whom there is general and omnibus allegation, have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 07.02.2018 passed in Cr. Misc. No. 7144 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 them 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-XIV, Gopalganj in connection with Barauli P.S. Case No. 110 of 2018, subject to the conditions as laid down under Section 438 (2) 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.

(Vikash Jain, J)

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