

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66341 of 2018

Arising Out of PS. Case No.-250 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

1. Vikram Sao, Son of Balmukund Sao, Resident of Village + P.S.- Makhdumpur, District- Jehanabad.
2. Sagar Chaudhary, Son of Narayan Chaudhary, (Father's name mentioned in the F.I.R. is wrongly as Shiv Chaudhary), Resident of Village + P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Umesh Kumar, Advocate
For the Opposite Party : Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-01-2019 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, 186, 189, 341, 342, 323, 332, 353, 427, 504, 506 of the Indian Penal Code registered in connection with Makhdumpur P.S. Case No. 250 of 2018.

3. It is submitted that the petitioners have been falsely implicated as they are merely members of the mob. No specific accusation of causing damage or assault has been attributed to the petitioners. Similarly situated co-accused Sushant Yadav has been granted anticipatory bail by this Court on 28.09.2018 vide Cr. Misc. No. 52051 of 2018. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 Sub-Divisional Judicial Magistrate, Jehanabad in connection with Makhdumpur P.S. Case No. 250 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. as well as with following 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)

BT/Chandran

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