

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70526 of 2018

Arising Out of PS. Case No.-623 Year-2018 Thana- ARA NAWADA District- Bhojpur

1. Sheomuni Ray
2. Amresh Kuymar Ray @ Amresh Prabhakar @ Amresh Ray Both are son of Nand Jee Bhatt Resident of Village-Krishna Nagar P.S. Ara Nawada, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Respondent/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 307, 504, 34 IPC and Section 27 of the Arms Act registered in connection with Ara Nawada P.S. Case No. 623 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of a money dispute and for which the petitioner no. 1 had filed Complaint Case No. 134(c) of 2018 before the learned Chief Judicial Magistrate, Ara, Bhojpur on 25.01.2018 (Annexure-2/1). The present FIR has been instituted much later on 12.09.2018. No injury has resulted from the alleged firing said to have been made by the petitioner, which thus does not corroborate the allegation of firing. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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 petitioner 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 J.M. Ist, Bhojpur at Ara, in connection with Ara Nawada P.S. Case No. 623 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 co-operate 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) 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)

Chandran/-

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