

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23265 of 2019

Arising Out of PS. Case No.-163 Year-2018 Thana- BARHIYA District- Lakhisarai

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1. RAJIV SINGH @ TUNTUN SINGH Son of Sunil Singh, Resident of Village- Pratppur, Police station- Barahia, District- Lakhisarai.
 2. Sunil Singh, S/O Late Nageshwar Singh, Resident of Village- Pratppur, Police Station- Barahia, District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

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 323, 341, 385, 380, 354,504,506/34 IPC registered in connection with Barahia P.S. Case No. 163 of 2018.

3. It is submitted that the petitioners have been falsely implicated in retaliation as the petitioners are the witnesses before the police in Barahia P.S. Case No. 111 of 2017 instituted by Sanjay Singh against the informant and others. Even earlier, the informant's side has filed Barahia P.S. Case No. 112 of 2017 against the petitioners and except such case there is no other criminal antecedents against the petitioners.

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) with two sureties of like amount each to the satisfaction of learned CJM, Lakhisarai , in connection with Barahia P.S. Case No. 163 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)

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