

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23171 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- DHARHARA District- Munger

1. RAJU SINGH @ RAJO SINGH Son of Late Kanhaiya Singh Resident of Village- Bhalar, Police Station Dharhara, District- Munger.
2. Bikram Kumar @ Bikram Singh Son of Raju Singh @ Rajo Singh Resident of Village- Bhalar, Police Station- Dharhara, District- Munger
3. Sanjeev Singh Son of Mohan Singh Resident of Village- Bhalar, Police Station- Dharhara, District- Munger.
4. Dharmendra Singh @ Dhamendra Singh Son of Mohan Singh Resident of Village- Bhalar, Police Station- Dharhara, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Kumar Sinha

For the Opposite Party/s : Mr.Ashok Kumar

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 341, 323, 307,379,504, 506 and 34 iPC registered in connection with Dharhara P.S. Case No. 18 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of dispute and there is case and counter case between the parties. There is one day's delay in institution of the FIR on 16.01.2019 for the alleged occurrence of 15.01.2019. The averments that the informant get himself medically examined on the alleged date of occurrence is not supported from the injury report which discloses that the informant was examined at 11.00 a.m. the next day namely, 16.01.2019. The injuries are prima facie simple in nature although final opinion has been kept reserved. 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 provisional anticipatory bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Munger, in connection with Dharhara P.S. Case No. 18 of 2019, 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.

5. That the provisional bail granted to the petitioners shall stand confirmed upon verification by the learned Court below that there is no grievous injury caused to the informant. In case the petitioners' claim fails upon verification, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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