

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29425 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- DHURAIYA District- Banka

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1. NIRAJ KUMAR SINGH Son of Sri Ranjit Singh Resident of Village - Sadpur, P.S.- Dhoraiya, District- Banka
 2. Kundan Singh @ Kundan Kumar Singh Son of Jai Prakash Singh Resident of Village - Sadpur, P.S.- Dhoraiya, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 26-07-2019 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, 504,506/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Dhoraiya P.S. Case No. 256 of 2018.

3. It is submitted that the petitioners have been falsely implicated owing to village rivalry. The specific accusation of firing upon Omkar Kumar Singh is upon co-accused Santosh Yadav and the accusation of assault with hockey sticks is not corroborated by the injury report, which primarily discloses fire arm injury at left pelvic region. The said co-accused Santosh Yadav has been granted bail by this Court. 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 bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri



Vikash Kumar, learned J.M.Ist Class, Banka, in connection with Dhoraiya P.S. Case No. 256 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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