

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31798 of 2019**

Arising Out of PS. Case No.-493 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

1. SUDHIR BHARTI Son of Late Ram Padarath Singh Resident of Village - Baraunii-1, P.S.- Teghra, District- Begusarai
2. Pankaj Kumar Singh Son of Natho Singh Resident of Village - Baraunii-1, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Md. Shakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

4      08-08-2019                      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, 447, 427, 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Begusarai Town P.S. Case No. 493/2018.

3. It is submitted that the petitioners have been falsely implicated and the dispute between the parties is nothing more than property dispute among the family members. The petitioner no. 1 is the own younger brother and the petitioner no. 2 is the uncle of the informant. There is no material to corroborate the accusation of firing by the petitioners to attract the provisions of the Arms Act. Accusations under other penal Sections are bailable in nature. The petitioner no. 1 claims clean antecedents whereas petitioner no. 2 is accused in one prior case of different nature owing to business rivalry.

4. Learned APP has not pointed out any objective materials from the case dairy against the petitioners.

5. 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 learned CJM, Begusarai, in connection with Begusarai Town P.S. Case No. 493/2018, 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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