

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29681 of 2019

Arising Out of PS. Case No.-843 Year-2018 Thana- TURKAULIYA District- East
Champaran

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1. Guddu Kumar, aged about 24 years (M),
 2. Pappu Kumar aged about 29 years (M),
Both sons of Vijay Prasad Residents of Village- Chailahan Padariya, P.S.
Banjaria, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs. Rashmi Jha, Advocate

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 10-05-2019 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, 149, 341, 353, 323, 186, 283 of the Indian Penal Code and Sections 3/4 of the Prevention of Damage to Public Property Act, 1984 registered in connection with Turkaulia (Banjaria) P.S. Case No. 843 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the FIR is against as many as 8 named persons and 20-30 unknown. The accusations are general and omnibus in nature without any specific accusation attributed to the petitioners individually. Similarly situated co-accused Rajesh Prasad @ Rajesh Sah has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 02.04.2019 passed in Cr. Misc. No. 20234 of 2019. 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 them be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, District East Champaran in connection with Turkaulia (Banjaria) P.S. Case No. 843 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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.

(iv) That the petitioners shall cooperate 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.

(Vikash Jain, J)

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