

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33197 of 2019

Arising Out of PS. Case No.-65 Year-2018 Thana- SAHAJITPUR District- Saran

1. Pankaj Singh @ Bom Singh, Son of Dhukhan Singh, Resident of Village-Pipra, P.S.-Sahajitpur, District-Saran at Chapra.
2. Rakesh Kumar Singh @ Rakesh Singh, Son of Dhukhan Singh, Resident of Village-Pipra, P.S.-Sahajitpur, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection Sahajitpur P.S. Case No.65 of 2018 for allegedly having committed the offence under Sections 341, 323, 324, 354, 379, 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the entire allegation is frivolous and the informant's side is in the habit of filing false cases against the petitioners. It is further submitted that though the petitioners are involved in a number of criminal cases, but in most of the cases, the petitioners have already been granted bail. However, the



learned Sessions Judge having noted the criminal antecedents of the petitioners has declined to extend the privilege of anticipatory bail to the petitioners in the present case. Learned counsel for the petitioner submits that perusal of the F.I.R. itself reveal that the allegations are purely ornamental and lodged only to implicate the petitioners and put them behind bars.

Having considered the facts and circumstances of the case and the nature of allegations and that the petitioners are own brothers against whom the allegations have been levelled and also because these petitioners undertake to co-operate in the investigation and present themselves during the course of the trial after commitment, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-6, Saran at Chapra, in connection with Sahajitpur P.S. Case No.65 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and also subject to



the following conditions:

(1) One of the bailors will be the father of the petitioners.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(3) The petitioners shall remain physically present in court on each and every date during trial and in the event of their failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

(Anjana Mishra, J)

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