

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66958 of 2018

Arising Out of PS. Case No.-356 Year-2018 Thana- BARACHATTI District- Gaya

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1. Lakhan Das Son of Rambriksh Das
 2. Nagendra Das @ Narendra Kumar Son of Rambriksh Das
 3. Sahendra Das Son of Rambriksh Das All Resident of Village-Diwniya,P.S. Barachatti,Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-01-2019 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, 323, 308, 325, 354, 448, 504, 506 IPC registered in connection with Barachatti P.S. Case No. 356 of 2018.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties. Out of the 13 FIR named accused, 9 persons have been granted anticipatory bail by this Court in Cr.Misc. No. 52758 of 2018.

4. Considering the nature of allegation against the



petitioner no. 1, who is said to have assaulted the husband of the informant who sustained grievous injuries, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner no. 1 and his bail petition stands rejected.

5. As regards petitioner nos. 2 and 3 in the event of their arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner nos. 2 and 3 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 A.C.J.M., Sherghati at Gaya, in connection with Barachatti P.S. Case No. 356 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 petitioner nos. 2 and 3.

(ii) That the petitioner nos. 2 and 3 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner nos. 2 and 3 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 petitioner no. 2 and 3 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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