

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70566 of 2018

Arising Out of PS. Case No.-168 Year-2018 Thana- DARBHANGA District- Darbhanga

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1. Narendra Prasad Singh, Son of Late Ram Bilas Singh Resident of Village-Mohanpur,Police Station-Mufassil,Distt.-Begusarai.At present Mohalla.Mirzapur,Police Station-Town,Distt.-Darbhanga
 2. Munni Lal Singh Son of Late Ram Padarath Singh Resident of Village-Mohanpur,Police Station-Mufassil,Distt.-Begusarai
 3. Aastik Kumar Singh @ Aastik Singh Son of Parshidhi Singh Resident of Village-Mohanpur,Police Station Mufassil,Distt.-Begusarai
 4. Gunjesh Kumar Jha Son of Girish Kumar Jha Resident of Mohalla-Mithila Body Temple (Lal Bagh),Police Station-Town,Distt.-Darbhanga
 5. Vivekanand Singh Son of Late Kamo Singh Resident of Village-Pahsara,Police Station Naokothi,Distt.-Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opp. parties

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Appearance :

For the Petitioner/s	:	Mr.Girish Chandra Jha
For the Informant		Mr. Sameer Ranjan, Adv
For the State		Mr. J.K.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-01-2019 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, 148, 149, 341, 342, 323, 325, 504, 506, 307, 427, 379 and 448 IPC registered in connection with Town P.S. Case No. 168 of 2018.

3. It is submitted that the petitioners have been falsely implicated. The petitioner no. 1 and the informant are related through marriage. There is case and counter case between the parties and on earlier occasion petitioner no. 1 and petitioner no. 3 have filed 'Sanha' (Annexures 3 and 4). There is land dispute between the parties in respect of which a Title Suit was also going on. There is one grievous injury but is on non-vital part of the body.



4. Having regard to the criminal antecedents of the petitioner no. 1, including a case instituted under Section 364, 302, 201 IPC, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner no.1, whose bail petition stands dismissed.

5. As regards petitioner nos. 2 to 5, having regard to the entirety of the facts and circumstances, in the event of arrest or surrender by petitioner nos. 2 to 5 before the court below within six weeks from the date of communication of this order, let the above named petitioner nos. 2 to 5 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 Chief Judicial Magistrate, Darbhanga, in connection with Town P.S.Case No. 168 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 to 5.

(ii) That the petitioner nos. 2 to 5 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner nos. 2 to 5 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 nos. 2 to 5 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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