

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79760 of 2018

Arising Out of PS. Case No.-103 Year-2018 Thana- SANDESH District- Bhojpur

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1. Amit Kumar @ Chhotu S/o Shri Bhagwan Singh
 2. Anil Singh @ Anil Kumar Singh @ Anil Kumar S/o Lachuman Singh
 3. Manoj Singh @ Manoj Kumar Singh S/o Late Kesho Singh
 4. Shankar Singh S/o Late Kesho Singh
 5. Gopal Singh S/o Brij Bihari Singh
 6. Sunil Singh @ Sunil Kumar Singh S/o Kapildeo Singh
 7. Umesh Singh @ Umesh Kumar Singh S/o Narayan Singh
 8. Dhananjay Singh @ Dhananjay Kumar Singh S/o Ramanand Singh
 9. Nirmal Singh S/o Late Ram Naresh Singh
 10. Rajesh Kumar S/o Nawal Kishore
 11. Permashwar Singh @ Permashwar Kumar S/o Late Rang Bahadur Singh
- All resident of village - Kholpur, PS-Sandesh, District -Bhojpur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Anant Kumar Pandey, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-01-2019 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, 323, 304 and 307 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Sandesh Case No. 103 of 2018.

3. It is submitted that the petitioners have been falsely implicated and accusation of firing does not corroborate from the injury report that any injury has been caused by fire-arms and the injuries in any event are simple in nature. Similarly situated accused persons, namely, Ajay Singh, Sheo Kumar Singh, Shri Bhagwan Singh and Brij Kishore Singh, have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 17.01.2019 passed



in Cr. Misc. No. 79945 of 2018. 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 the above named petitioners 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 Additional Chief Judicial Magistrate-IX, Bhojpur at Ara in connection with Sandesh P.S. Case No. 103 of 2018, subject to the conditions as laid down under Section 438 (2) 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.

BT/Chandran

(Vikash Jain, J)

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