

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31950 of 2019**

Arising Out of PS. Case No.-498 Year-2017 Thana- MADHAURAH District-
Saran

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1. RAMESH KUMAR SINGH @ RAMESH SINGH Son of Bharat Singh Resident of Village - Gae Tola, P.S.- Marhowrah, Dist.- Saran at Chhapra.
 2. Kamala Singh Son of Late Lagan Singh Resident of Village - Gae Tola, P.S.- Marhowrah, Dist.- Saran at Chhapra.
 3. Usha Devi Wife of kamala Singh Resident of Village - Gae Tola, P.S.- Marhowrah, Dist.- Saran at Chhapra.
 4. Bharat Singh Son of Late Tukar Singh Resident of Village - Gae Tola, P.S.- Marhowrah, Dist.- Saran at Chhapra.
 5. Guddu Singh Son of Bhagirath Singh Resident of Village - Gae Tola, P.S.- Marhowrah, Dist.- Saran at Chhapra.
 6. Ashok Kumar Singh @ Ashok Singh Son of late Lagan Singh Resident of Village - Gae Tola, P.S.- Marhowrah, Dist.- Saran at Chhapra.
 7. Pradeep Singh Son of Late Ramdatt Singh Resident of Village - Mangaidih (Malaedih), P.S.- Muffasil Chhapra, Dist.- Saran at Chhapra.
 8. Arun Kumar Singh Son of Ashok Singh Resident of Village - Mangaidih (Malaedih), P.S.- Muffasil Chhapra, Dist.- Saran at Chhapra.
 9. Mukul Singh Son of Ashok Singh Resident of Village - Mangaidih (Malaedih), P.S.- Muffasil Chhapra, Dist.- Saran at Chhapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Prabhakar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-08-2019

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, 323, 324, 307, 354, 504, 506 of the Indian Penal Code and Section 27 of the



Arms Act registered in connection with Marhowrah P.S. Case No. 498 of 2017.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. It is further submitted that all the injuries to the informant's side are simple in nature except the injury sustained by the informant's father attributed to the assault of co-accused Ashok Singh, son of late Ramdutt Singh who has been denied the privilege of anticipatory bail by this Court in Cr. Misc. No. 23231 of 2019. The accusation of assault against the petitioners are general and omnibus in nature. Similarly situated co-accused persons have been granted anticipatory bail by the learned Court below in A.B.P. No. 4335 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Marhowrah P.S. Case No. 498 of 2017, 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 of each of the petitioners shall be their close relative other than the petitioners herein.



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

(iii) 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.

(iv) That the petitioner no. 3 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present and petitioner nos. 1, 2, 4, 5 6, 7 and 8 shall remain physically present in court on each and every date, 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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