

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33212 of 2019

Arising Out of PS. Case No.-135 Year-2019 Thana- GARKHA District- Saran

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1. CHANDESHWAR SINGH, S/O Late Ram Awatar Singh, Resident of Village- Shivrahiyan, P.S.- Garkha, District- Saran at Chapra.
 2. Bittu Kumar Singh, S/O Sri Chandeshwar Singh, Resident of village- Shivrahiyan, P.S.- Garkha, District- Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 21-05-2019 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

Learned counsel for the Informant is also present.

The petitioners are apprehending their arrest in
connection with Garkha P.S. Case No.135 of 2019 for
allegedly having committed the offence under Sections 341,
323, 324, 307, 379, 325, 304/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioners have committed an overt act which could have
endangered the life and, therefore, the present case has been
filed levelling the allegation that the petitioners came with
sword and iron rod and attacked the informant. It is further



submitted that the petitioners are neighbour and the injuries alleged to have been found on the person of the informant are simple in nature.

Learned counsel for the informant however, resisting the application of the petitioner and submits that the petitioners have attacked the informant with sword and iron rod with intention to kill and, therefore, they do not deserve to the benefit of pre-arrest bail.

Considering the aforesaid facts and circumstance and that the petitioners have no criminal antecedents, 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-XIV, Saran at Chapra, in connection with Garkha P.S. Case No.135 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, subject to the following conditions:-

1. One of the bailors will be their own blood relative, preferably, father, mother, son, brother, sister and/or his wife.
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, his 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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