

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32133 of 2019

Arising Out of PS. Case No.-196 Year-2019 Thana- GARDANIBAG District- Patna

1. RAHUL KUMAR Son of Ishwardhari Rai Resident of Mohalla-Saristabad West Tola, P.S-Gardanibagh, District-Patna (Bihar).
2. Ranjeet Kumar Son of Ishwardhari Rai Resident of Mohalla-Saristabad West Tola, P.S-Gardanibagh, District-Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar
For the State	:	Mr.Sanjay Kumar Tiwary
For the Informant	:	Mr. Rajiv Ranjan,

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, 323, 324, 325, 326, 307 and 506 of the Indian Penal Code registered in connection with Gardanibagh P.S. Case No. 196 of 2019.

3. It is submitted that the petitioners have been falsely implicated and in any event the specific accusation of knife blow on the informant is attributed to co-accused Jitu Kumar. The petitioners have been implicated merely because they happen to be the cousins of the said co-accused Jitu Kumar. The accusations are general and omnibus and no specific overt act attributed individually. The petitioners claim clean antecedents.

4. Learned APP assisted by learned counsel for the informant appear and oppose the anticipatory bail petition. Learned APP has not pointed out any objective materials in the case diary against the petitioners.



5. 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 ACJM XIV, Patna, in connection with Gardanibagh P.S. Case No. 196 of 2019, 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 petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That 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.
- iv. 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.

(Vikash Jain, J)

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