

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36853 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- ASHTHAWAN District- Nalanda

1. SUDHIR PRASAD Son of Ram Lakhan Prasad @ Ramlakhan Mahto Resident of Village- Rahmanpur, P.S.- Asthawan, District- Nalanda (Bihar Sharif).
2. Rishi Prasad @ Rishi Kumar @ Rishi Kant Kumar Son of Umesh Prasad Resident of Mohalla- Murdad, Bihar Sharif, P.S.- Asthawan, District- Nalanda (Bihar Sharif).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Giridhar Gopal Tiwary
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-06-2019 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, 325, 307, 379, 504, 506 IPC and 25(1-b)a/26/35/27 of the Arms Act registered in connection with Asthawan P.S. Case No. 78 of 2019.

3. It is submitted that the petitioners has been falsely implicated and the thrust of accusation of threatening with pistol is upon co-accused Mukesh Kumar. The accusation of assault with lathi is general and omnibus against the petitioners and in any event the solitary injury is simple in nature. The petitioners are accused in one prior case against each of them, in which they are on bail.

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 ACJM-3, Nalanda, Bihar Sharif, in connection with Asthawan P.S. Case No. 78 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. 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.

Chandran/-

(Vikash Jain, J)

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