

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41955 of 2019

Arising Out of PS. Case No.-163 Year-2018 Thana- HARNAUT District- Nalanda

1. SHASHI SINGH Son of Yadunandan Singh Resident of Village - Laluadih, P.S.- Harnaut (Telmar), Distt - Nalanda.
2. Pintu Singh Son of Pujan Singh Resident of Village - Laluadih, P.S.-Harnaut (Telmar), Distt - Nalanda.
3. Jitu Singh Son of Pujan Singh Resident of Village - Laluadih, P.S.-Harnaut (Telmar), Distt - Nalanda.
4. Pujan Singh@ Shivpujan Singh Son of Shreshath Singh Resident of Village - Laluadih, P.S.- Harnaut (Telmar), Distt - Nalanda.
5. Madan Singh Son of Yadunandan Singh Resident of Village - Laluadih, P.S.- Harnaut (Telmar), Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar No.1
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-07-2019 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, 149, 323, 341,307 IPC registered in connection with Harnaut (Telmar) P.S. Case No. 163/2018.

3. It is submitted that the petitioners have been falsely implicated and the FIR has been instituted against as many as 18 accused persons. The accusation against petitioner nos. 1 to 4 are general and omnibus in nature while petitioner no. 5 is alleged to have assaulted the informant with iron rod on his head. There is nothing to indicate that the injuries suffered by the informant is grievous in nature. 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 petitioner nos. 1 to 4 be released on bail and petitioner no. 5 be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Nalanda, in connection with Harnaut (Telmar) P.S. Case No. 163/2018, 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.
5. The provisional bail granted to the petitioner no. 5 shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury has been sustained by the informant by the assault attributed to petitioner no. 5. In case the claim of the petitioner no. 5 fails on verification, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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