

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42218 of 2019**

Arising Out of PS. Case No.-605 Year-2018 Thana- MANER District- Patna
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1. ABHAY KUMAR SINGH @ ABHAY KUMAR Son of Mahesh Singh Resident of Village- Rampur Diyara, P.S.- Maner, District- Patna.
2. Digvijay Kumar @ Chotan @ Digvijay Kumar Singh Son of Late Ram Pravesh Singh Resident of Village-Rampur Diyara, P.S.-Maner, District- Patna.
3. Umesh Singh Son of Late Ram Pravesh Singh Resident of Village-Rampur Diyara, P.S.-Maner, District-Patna.
4. Raj Kishore Singh Son of Late Ram Pravesh Singh Resident of Village-Rampur Diyara, P.S.-Maner, District-Patna.
5. Rahul Kumar Son of Arun Kumar Singh Resident of Village-Rampur Diyara, P.S.-Maner, District-Patna.
6. Deepak Kumar Son of Arun Kumar Singh Resident of Village-Rampur Diyara, P.S.-Maner, District-Patna.
7. Jai Kishore Singh Son of Late Ram Pravesh Singh Resident of Village-Rampur Diyara, P.S.-Maner, District-Patna.
8. Ranjan Kumar Singh @ Ranjan Kumar Son of Umesh Singh Resident of Village-Rampur Diyara, P.S.-Maner, District-Patna.
9. Priyanshu @ Piryanshu Son of Abhay Kumar Singh Resident of Village-Rampur Diyara, P.S.-Maner, District-Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Rajesh Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-07-2019

Heard learned counsel for the petitioners and learned

APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code registered in connection with Maner P.S.



Case No. 605 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute as the parties are *gotiya*. There is case and counter case between the parties. The accusations under Section 354 IPC against the petitioners nos. 5 and 6 along with co-accused Pawan are highly improbable inasmuch as they are by relation uncle of the informant's niece. The accusation under Section 379 IPC is mere embellishment. 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 Miss Nutan Kumari, learned Judicial Magistrate 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 605 of 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 of each of the petitioners shall be their close relatives 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 himself 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.

(Vikash Jain, J)

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