

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71091 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- NATWAR District- Rohtas

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1. Rajendra Singh Son of Baban Singh.
 2. Rahul Kumar Son of Rajendra Singh.
 3. Dharmandra Kumar Son of Shesh Nath Singh.
 4. Sunil Kumar Singh Son of Indra Deo Singh.
 5. Bihari Singh Yadav @ Bihari Singh Son of Baban Singh.
 6. Anil Kumar Son of Late Mutur Singh.
 7. Pradeep Yadav Son of Late Mutur Singh.
 8. Tuna Yadav @ Tunna Yadav Son of Late Hare Ram Singh.
- All are the residents of Village- Niranjapur, Police Station- Natwar, District- Rohtas.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Dhaneshwar Prasad Gupta, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 01-02-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 307, 504, 304 of the Indian Penal Code and Sections 25(I-B), 26 and 27 of the Arms Act registered in connection with Natwar P.S. Case No. 39 of 2018.

3. It is submitted that the petitioners have been falsely implicated as the accusation is highly improbable in nature considering that all the eight petitioners are said to have fired upon the informant and others but the informant has not sustained any injury. The accusation of firing is general and omnibus in nature. No recovery of any firearm has been made from possession of the petitioners rather a country made gun with two live cartridges was recovered from co-accused Ajay Yadav. The petitioners claim clean antecedents, except petitioner nos. 1, 6 and 8, who have one prior



case against them of different nature.

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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Natwar P.S. Case No. 39 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) That the petitioners shall cooperate 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.

BT/Chandran

(Vikash Jain, J)

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