

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40923 of 2019**

Arising Out of PS. Case No.-180 Year-2018 Thana- ROSHANGANJ District- Gaya

1. Ravi Singh @ Ravi Ranjan Kumar, aged about 28 years (Male) Son of Shiv Kumar
2. Chhotu Singh @ Chhotu @ Suchit Kumar, aged about 30 years (Male), Son of Late Binod Singh
Both residents of Village- B.T. Bigha, P.S.- Raushanganj, District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-07-2019 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, 379, 385, 427, 504, 506 and 34 of the Indian Penal Code registered in connection with Raushanganj P.S. Case No. 180 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the FIR has been instituted against 4 named and 5-6 unknown persons. It is submitted that accusation under Section 385 of the IPC is bailable whereas accusation of theft is general and omnibus against all the accused persons. No recovery of any incriminating articles has been made from the possession of the petitioners .

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, Sherghati in connection with Raushanganj P.S. Case No. 180 of 2018, subject to the conditions as laid down under Section 438 (2) of the 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.

(Vikash Jain, J)

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