

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48 of 2019

Arising Out of PS. Case No.-143 Year-2002 Thana- SIKARPUR District- West Champaran

1. Binda Singh Son of Late Prabhu Nath Singh.
2. Ranjeet Singh Son of Binda Singh. Both Resident of Village- Jura, Pakadhi P.S. Bhairoganj, District West Champarn, Bagha.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Lalmati Devi Wife of sri Nagendra patel, Resident of village- jura Pakadhi, P.s.- Bhairoganj, District- West Champaran, Bagha.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 18-01-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with Shikarpur P.S. Case No. 143/2002, Complaint Case No. 1901-C/2003 corresponding to Sessions Trial No. 2929/2018, registered for the offence punishable under Section 365 of the Indian Penal Code.

Initially complaint was filed which was sent to P.S. under Section 156(3) Cr.P.C. The police registered Shikarpur P.S. Case No. 143/2002 under Section 364, 367, 420 and 468 of the Indian Penal Code.

The police after investigation submitted final form showing the dispute between the parties as civil dispute. A copy



of the final form submitted by the police is part of the F.I.R. Thereafter, complainant filed protest petition.

Learned counsel for the petitioners submit that on the basis of protest petition, the cognizance has been taken against the petitioners by order dated 30.08.2005. The petitioners had no knowledge of cognizance having been taken against them.

From the written report, it appears that there is general and omnibus allegation against the petitioners. Petitioners are in custody since 20.08.2018 having clean antecedent.

Considering the facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners above-named, be released on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bagha West Champaran in connection with Shikarpur P.S. Case No. 143/2002, Complaint Case No. 1901-C/2003 corresponding to Sessions Trial No. 2929/2018, subject to the conditions:

(i) Both the bailers shall be the close relative of the petitioners.

(ii) The petitioners shall be present on each and every date fixed by the Court and absence on two consecutive dates



without valid reason will result in cancellation of bail bond of the petitioners.

(iii) If petitioners tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioners.

(Sanjay Priya, J)

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