

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49585 of 2019**

Arising Out of PS. Case No.-167 Year-2019 Thana- GHOSI District-
Jehanabad

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1. DINESH PRASAD @ DINESH RAM Son of Jitu Singh @ Jitu Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 2. Ramashray Prasad @ Ramashray Chandravanshi Son of Late Mishri Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 3. Chandan Kumar Son of Balmiki Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 4. Kamlesh Prasad @ Kamlesh Ram Son of Late Ram Sharan Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 5. Sunny Kumar Son of Ramashray Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 6. Anil Singh @ Anil Ram Son of Deokaran Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 7. Vivek Kumar Son of Bharat Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 8. Arun Kumar Son of Bhola Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 9. Mithlesh Singh @ Mithlesh Ram Son of Jitu Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 10. Sanjeev Kumar Son of Laldeo Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.
 11. Kitu Kumar Son of Shravan Ram Resident of Village-Lakhawar, P.S.-Ghosi, District-Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-08-2019

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, 148, 149, 307, 427, 323, 324, 504 and 506 of the Indian Penal Code registered in connection with Ghosi P.S. Case No. 167 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the F.I.R. is against as many as 16 named persons. There is case and counter case between the parties. The accusations against the petitioners are general and omnibus. The specific accusation of assault is against other co-accused persons. There is no material to indicate that injuries sustained by the informant are 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 petitioners be released on provsional bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Judge-Ist, Jehanabad in connection with Ghosi P.S. Case No. 167 of 2019, 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 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.

(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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned court below upon verification within a further period of four weeks after furnishing bail bond, that the injuries sustained by the informant are not grievous in nature. In case any grievous injury is found, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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