

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49083 of 2019**

Arising Out of PS. Case No.-1 Year-2019 Thana- AAYAR District- Bhojpur
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1. BINDESHWARI SINGH, male, aged about 58 years, S/O Late Mahangu Singh Resident of Village- Baligao, Mahthin Tola, P.O.- Baligao, P.S.- Ayar, District- Bhojpur.
2. Niranjana Kumar, male, aged about 38 years, S/O late Gupteshwar Singh Resident of Village- Baligao, Mahthin Tola, P.O.- Baligao, P.S.- Ayar, District- Bhojpur.
3. Bhola Kumar @ Bhola Singh, male, aged about 30 years, S/O Late Gupteshwar Singh Resident of Village- Baligao, Mahthin Tola, P.O.- Baligao, P.S.- Ayar, District- Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjan Kumar Dubey, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 353, 307, 506/34 of the Indian Penal Code and Section 25(1-b)a/26/27/35 of the Arms Act registered in connection with Ayar P.S. Case No. 01 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the F.I.R. is against as many as seven named along with unknown women. The thrust of accusation against co-accused Raju Ranjan who subsequently died, and no specific overt act has been alleged against the petitioners. Statement is made at the Bar that the petitioner had been granted interim protection in one prior case in which he is accused.

4. Be that as it may, in the event of the petitioner's



arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhojpur, Ara in connection with Ayar P.S. Case No. 01 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 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 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.

(Vikash Jain, J)

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