

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52990 of 2019

Arising Out of PS. Case No.-17 Year-2017 Thana- BANGAWON District- Saharsa

1. Sudeep Kumar Singh @ Sudiip Pratap Singh, aged about 38 yers, Male, Son of Late Subhash Singh
2. Sanjay Singh @ Sanjay Kumar Singh, aged about 55 years, Male, Son of Late Bindeshwari Singh
3. Santosh Singh, aged about 38 years, Male, Son of Late Raj Kumar Singh
All are resident of Village - Rahuamani, P.S.- Bangaon, District-Saharsa.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-08-2019 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, 341, 323, 307, 354(A), 448, 504 and 506 of the Indian Penal Code registered in connection with Bangaon P.S. Case No. 17 of 2017.

3. It is submitted that the petitioners have been falsely implicated on the accusation of assault on the informant and the informant's daughter. It is submitted that there is case and counter case between the parties in which both sides have sustained injuries. Injuries on the informant's side are simple in nature. After due investigation, the police has submitted final form and has not sent up the petitioners for trial but differing from the same, cognizance has been taken against them. Statement is made at the Bar that prior cases in which petitioner nos. 1 and 3 have been made accused are between the same parties in some of which final form has also been



submitted.

4. Learned APP assisted by learned counsel for the informant appearing suo motu opposes the petition.

5. 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 Chief Judicial Magistrate, Saharsa in connection with Bangaon P.S. Case No. 17 of 2017, 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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