

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54066 of 2019

Arising Out of PS. Case No.-352 Year-2018 Thana- KHAGARIA District- Khagaria

1. Upendra Sada S/o Parsadi Sada Resident of Village- Dahariya, P.S.- Gangaur, District- Khagaria.
2. Hare Ram Sada S/o Ghuran Sada Resident of Village- Dahariya, P.S.- Gangaur, District- Khagaria.
3. Jay Jay Ram Sada S/o Ghuran Sada Resident of Village- Dahariya, P.S.- Gangaur, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Tiwary, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-10-2019 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in **Khagaria P.S. Case No. 352 of 2018**, registered for the offences punishable under Sections 341, 323, 307, 447, 504, 506, 427 and 34 of the Indian Penal Code and section 27 of the Arms Act.

It is alleged that all the accused persons including these petitioners having armed with weapons assaulted the informant and destroyed his crops. Upendra Sada assaulted the informant on his head with lathi causing bleeding injury, Hare Ram Sada assaulted on his left hand with lathi and petitioner Jay



Jay Ram Sada assaulted on his legs with lathi.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners have falsely been implicated due to malice an ulterior motive. The injury report of the reveals that there are grievous injuries in view of multiple fracture of forearm, foot and scalp. Charge-sheet has already been submitted. Petitioner no. 1 and 2 are in custody since 07.06.2019 and petitioner no. 3 is in custody since 30.05.2019. Petitioners have got no criminal antecedent.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged 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 Sessions Judge, Khagaria** in connection with **Khagaria P.S. Case No. 352 of 2018**, subject to the following conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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