

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7137 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- BAUNSI District- Banka *

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1. Krishna Mohan Sah, Son of Late Bhagwan Sah.
 2. Sourabh Kumar, Son of Krishna Mohan Sah,
All are Resident of Village - Dam Road, Acharaj, P.S. Bounsi, District-
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-03-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in
connection with Bounsi P.S. Case No. 138 of 2018 registered
for the offences punishable under Sections 341, 323, 307, 379,
504, 506/34 of the Indian Penal Code.

Informant has alleged in his written complaint that
while he was sitting in his shop, in the meantime, petitioners
and other FIR named accused persons came and assaulted on
his head and snatched away his chain from neck and he became
unconscious.

It has been submitted on behalf of the petitioners



that they are innocent and have committed no offence. They have been falsely implicated in this case. There is general and omnibus allegation against the petitioners. There is no allegation of any specific over act against the petitioners. Petitioners are in custody since 10.08.2018. Similarly placed co-accused have been granted bail by co-ordinate bench of this court vide order dated 20.09.2018 passed in Cr. Misc. No. 53047 of 2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Bounsi P.S. Case No. 138 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) 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 Court and their absence on two consecutive dates without sufficient reasons, their bail



bond shall be cancelled by the court below.

(3) If the petitioners tampers 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.

(S. Kumar, J)

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