

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56337 of 2019**

Arising Out of PS. Case No.-146 Year-2018 Thana- KASHICHAK District-
Nawada

- =====
1. MITHUN KUMAR, aged about 32 years, male, Son of Triveni Singh Resident of Village - Chandinama, P.S.- Kashichak, District- Nawada
 2. Manjeet Kumar Son of Parshuram Singh Resident of Village - Daulachak, P.S.- Kashichak, District- Nawada

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Amresh Kumar Sinha, Advocate.
For the Opposite Party: Ms.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-09-2019 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, 324, 307, 333, 353, 427, 504 and 506 of the Indian Penal Code registered in connection with Kashichak P.S. Case No. 146 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the F.I.R. has been instituted against as many as 13 named persons. The petitioner is not named in the F.I.R. rather his name has transpired in course of investigation. Chargesheet has been filed against one arrested accused person and investigation is still going on. It has been stated that from the order of the learned Sessions Judge it is clear that no specific overt act has been alleged against the petitioners. 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 bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Nawada in connection with Kashichak P.S. Case No. 146 of 2018, 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.

(Vikash Jain, J)

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