

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79670 of 2018

Arising Out of PS. Case No.-232 Year-2017 Thana- BELDOUR District- Khagaria

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1. Birbal Kumar, son of Badho Sharma @ Arvind Sharma.
 2. Santosh Kumar, son of Vijay Sharma.
- Both are resident of village- Bhola Das Basa, P.S.- Beldour, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 21-02-2019 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioners are in custody since 01.08.2018 in connection with Beldour P.S. Case No.232 of 2017 registered for the offence under Sections 323, 324, 325, 326, 307, 302, 114 and 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that the petitioners are named in the FIR, the allegations is general and omnibus in nature and that the present petitioners have already been in custody for more than six months. It is further submitted that as and when required, the petitioners shall present himself for investigation and also during the course of



the trial.

Considering the aforementioned facts and circumstances and that similarly situated co-accused, who have also been named in the FIR, have since been extended the privilege of bail by this Court in Cr.Misc. No.19261 of 2018 vide order dated 18.05.2018 and also in Cr.Misc. No.36098 of 2018 vide order dated 29.06.2018, let the petitioners, above named, be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Khagaria, in connection with Beldour P.S. Case No.232 of 2017, subject to the following conditions:

(1) Brother of petitioner no.2 who has sworn the affidavit in this case will be the bailor of the petitioners.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(3) The petitioners shall remain physically present in court on each and every date during trial and in the event of their failure on two



consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioners shall co-operate 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.

(Anjana Mishra, J)

Rakesh/PNM

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