

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63672 of 2019**

Arising Out of PS. Case No.-253 Year-2019 Thana- KUDRA District-
Kaimur (Bhabua)

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1. NAND KISHOR SINGH Son of Late Butan Singh Resident of Village-Gorra, P.S.-Kudra, District-Kaimur (Bhabhua).
 2. Pappu Singh@ Pappu Kumar Son of Late Butan Singh Resident of Village-Gorra, P.S.-Kudra, District-Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioners : Mr. Ram Nath Singh Yadav, Advocate.
For the State : Mr. Uma Shankar Prasad Singh, APP
For the Informant : Mr. Prakash Kumar Mishra
Mr. Ravi Shankar Sahay, Advocates.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 341, 504, 506, 307/34 of the Indian Penal Code registered in connection with Kudra P.S. Case No. 253 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. The petitioner no. 2 is said to have assaulted with brick on the head and wrist of the informant but in any event the injuries are simple in nature. The injury report does not corroborate the accusation of firing by the petitioner no. 1 as there is no firearm injury. The petitioners are accused in one prior case under bailable sections in which they are on bail.



4. Learned APP assisted by learned counsel for the informant appears and has been heard.

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 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, Kaimur at Bhabhua in connection with Kudra P.S. Case No. 253 of 2019, 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(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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