

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63833 of 2019**

Arising Out of PS. Case No.-79 Year-2019 Thana- SAHEBPUR KAMAL
District- Begusarai

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1. BAHADUR RAM @ RAM BAHADUR RAM Son of Late Pavitar Ram Resident of Naya Tola, P.S.-Sahebpur Kamal, District-Begusarai.
 2. Sanju Ram @ Sanjay Ram @ Sanju Son of Bahadur Ram @ Ram Bahadur Ram Resident of Naya Tola, P.S.-Sahebpur Kamal, District-Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Binod Kumar, Advocate.

For the Opposite Party: Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 24.03.2019 in connection with S. Kamal P.S. Case No. 79 of 2019 for the offences alleged under Sections 147, 148, 149, 341, 307, 302, 323 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated in connection with the alleged killing of the informant's husband. It is submitted that admittedly the main assailants are other co-accused persons and the petitioner no. 1 is said to be only the order giver. No overt act whatsoever has been alleged against petitioner no. 2 who is merely said to be a member of the unlawful assembly. The petitioners have already suffered more than eight months in custody.

4. Be that as it may, let the petitioners above named 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 Chief Judicial Magistrate, Begusarai, in connection with S. Kamal P.S. Case No. 79 of 2019, on the following 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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