

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63874 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- DULHIN BAZAR District- Patna

1. VIKASH KUMAR Son of Ramjee Yadav Resident of Village- Sarkuna, Police Station- Dulhin Bazar, District- Patna.
2. Ramjee Yadav Son of Dharma Yadav Resident of Village- Sarkuna, Police Station- Dulhin Bazar, District- Patna.
3. Rahees Kumar Son of Jattu Yadav Resident of Village- Sarkuna, Police Station- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parashuram Singh
For the Opposite Party/s : Mr.Shyam Kumar Singh

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 341, 323, 379, 506/34 of the Indian Penal Code and Section 27 of the Arms Act, registered in connection with Dulhin Bazar P.S. Case No. 71 of 2018.

3. It is submitted that the petitioners have been falsely implicated on the accusation that the accused persons have indulged in *maar pit*, firing and snatching. It is submitted however that the accusation under the Arms Act is not corroborated by any injury report and the accusation of snatching of *mahbiri* and cash is mere embellishment. Other co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. 22814 of 2019. 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 ACJM III, Danapur, District Patna, in connection with Dulhin Bazar P.S. Case No. 71 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 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.
- iv. 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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