

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68822 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- KACCHWA District- Rohtas

1. MUKESH SINGH son of Bharat Singh Resident of Village- Kanchan Tola, P.S.- Kachhawan, District- Rohtas.
2. Godhan Singh S/o Late Gaja Singh @ Late Gaya Singh Resident of Village- Kanchan Tola, P.S.- Kachhawan, District- Rohtas.
3. Bharat Singh S/O Late Gaja Singh @ Late Gaya Singh Resident of Village- Kanchan Tola, P.S.- Kachhawan, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Pd. Singh Sr. Adv with Mr. Bhaskar Shankar, Mr. Rakesh Singh Advts.
For the Opposite Party/s : Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

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

The petitioners seek bail in **Kachhawan P. S. Case No. 32 of 2019** instituted for the offence under Section(s) 302, 307,341, 323/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted by senior counsel representing the petitioners that they have been implicated in the instant case falsely. He further submits that the injuries have been caused upon the victim as well as the petitioners in scuffle which broke



out. There is also a counter version, namely, Kachhawan P.S. Case No. 33 of 2019, lodged at the instance of the petitioners. The petitioners are in custody since 14.06.2019 and they are having no criminal antecedents. The cause of death of the victim has still not been ascertained and *prima facie*, the allegation of firing is false as no firearm injuries have been corroborated by the postmortem report.

The learned A.P.P. for the State opposed the prayer for bail.

Considering the rival submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the **ACJM-II, Bikramganj, Dist. Rohtas**, in connection with **Kachhawan P. S. Case No. 32 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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