

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67811 of 2018

Arising Out of PS. Case No.-271 Year-2018 Thana- SAHPUR District- Bhojpur

1. Bablu Rai, son of Suryabansh Rai,
2. Satyendra Rai, son of Late Ram Sakal Rai
3. Sanjay Yadav, son of Late Shiv Narayan Yadav
all are resident of village Suremanpur, P.S. Shahpur, (Bahoranpur OP),
District Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vindhya Keshri Kumar,Sr. Adv
Mr. Ravi Shankar Pathak, Adv
For the Opposite Party/s : Sri Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 01-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 353, 307,384 IPC and under Section 27 of the Arms Act registered in connection with Shahpur (Bahoranpur OP) P.S. Case No. 271 of 2018.

3. It is submitted that the petitioners have been falsely implicated and no one has received any injury as a result of alleged firing by the accused persons. Recovery of arms and cartridges has been made from co-accused Sonu Kumar and not from the petitioners.

4. Having regard to the criminal antecedents of petitioner no.1 this Court is not inclined to grant the privilege of anticipatory bail to the petitioner no.1. Bail petition stands dismissed.

5. As regards petitioner nos. 2 and 3.in the event of the arrest or surrender by petitioner nos. 2 and 3 before the court below within six weeks from the date of communication of this order, let the above named petitioner nos. 2 and 3 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 XIV, Bhojpur at Ara, in connection with Shahpur (Bahoranpur OP) P.S. Case No. 271 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 petitioner nos. 2 and 3.

ii. That the petitioner nos. 2 and 3 shall not indulge in any similar offence till conclusion of the trial.

iii. That the petitioner nos. 2 and 3 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 petitioner nos. 2 and 3 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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