

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72023 of 2018

Arising Out of PS. Case No.-325 Year-2017 Thana- BARBIGHA District-
Sheikhpura

- =====
1. Karu Singh Son of Shyam Singh,
 2. Chuha Singh, Son of Late Ram Swaroop Singh, Both Residents of Village-
Khoja Gachhi, Police station- Barbigha, District- Sheikhpura.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bipin Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 31-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 342, 386, 307, 504, 506, 379/34 of the Indian Penal Code registered in connection with Barbigha P.S. Case No. 325 of 2017.

3. It is submitted that the petitioners have been falsely implicated and in any event there is no accusation whatsoever against the petitioners of having assaulted to anyone from the informant's side.

4. Considering the offence under Section 386 of the Indian Penal Code has also been invoked and the petitioner no. 1 has three criminal antecedents of similar nature, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner no. 1. The anticipatory bail petition of petitioner no. 1 stands dismissed.

5. As regards petitioner no. 2 who claims clean



antecedents, in the event of the petitioner no. 2, namely, Chuha Singh's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner no. 2 be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Barbigha P.S. Case No. 325 of 2017, 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.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself 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 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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