

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1204 of 2019

Arising Out of PS. Case No.-147 Year-2017 Thana- SIKARPUR District- West Champaran

1. Imran Khan, son of Shafi Ahmad Khan
 2. Shafi Ahmad Khan @ Shafi Ahmad, son of Late Monif Khan
- Both are residents of village - Pipra Chanki, Police Station Shikarpur, District West Champaran, Bettiah.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Vikramdeo Singh, Mr. Sunil Kumar Dubey, Advocates
For the Opposite Party	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 13-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. This is the third attempt on behalf of the petitioners, who are in custody since 04.04.2017 in connection with Sessions Trial No. 430 of 2018 arising out of Shikarpur P.S. Case No. 147 of 2017 for the offences alleged under Sections 326 and 307/34 of the Indian Penal Code and have renewed their prayer for bail having been rejected twice by orders dated 19.08.2017 and 04.04.2018 passed in Cr. Misc. No. 28153 of 2017 and Cr. Misc. No. 13270 of 2018, respectively.

3. Learned counsel for the petitioners submits that in subsequent development, charges have now been framed by learned Assistant Sessions Judge II, Bettiah in S. Trial No. 430 of 2018 by order dated 08.10.2018 (Annexure-4) and the petitioners have been in custody since 04.04.2017.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody of the petitioners since 04.04.2017, let them be released on



bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of learned Assistant Sessions Judge II-cum-Chief Judicial Magistrate, Bettiah, District West Champaran, in connection with Sessions Trial No. 430 of 2018 arising out of Shikarpur P.S. Case No. 147 of 2017, on the following conditions:-

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) 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)

BT/Chandran

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