

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82689 of 2019

Arising Out of PS. Case No.-35 Year-2015 Thana- NAUHATTA District- Rohtas

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1. Mukesh Singh @ Mukesh Singh Kharwar Son of Bishwanath Singh @ Vishwanath Singh R/O - Salma, P.S.- Nauhatta, District- Rohtas
 2. Pramod Ram @ Pramod Singh @ Pramod Rajwar @ Pramod Kharwar Son of Dasrath Ram @ Dasrath Singh @ Dasrath Kharwar R/O - Salma, P.S.- Nauhatta, District- Rohtas
 3. Binod Singh Son of Sri Ram Swarath Singh @ Swarath Singh R/O - Salma, P.S.- Nauhatta, District- Rohtas Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Deovind Kumar Singh, Advocate

For the Opposite Party : Mr.Dr.M Kr.Gautam, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2019

Heard learned counsel for the parties.

Petitioners are accused in a case registered for the offence punishable under section 307 and other allied sections of the Indian Penal Code, under the Arms Act and under the Cr.L.A.Act.

On secret information, police raided a part of the forest in apprehension of preparation of some crime. However, miscreants managed to escape by opening fire.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of confession of co-accused Ramjee Singh. Barring confessional statement of co-accused there is no material to show complicity of these petitioners in the said occurrence. Similarly situated other co-accused have already been allowed bail by different benches of this Court which has been detailed in paragraph 8 of the bail application. Petitioner no. 1 and 2 are in custody since 25.9.2019, whereas petitioner no.3 is in custody since 16.10.2019. Nothing incriminating has been recovered from the



possession of the petitioners.

In view of the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, 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 learned Judicial Magistrate 1st class Dehri on sone, Rohtas at Sasaram in Nauhatta Police Station Case No. 35 of 2015 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tmper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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