

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76866 of 2018

Arising Out of PS. Case No.-348 Year-2018 Thana- DUMRAO District- Buxar

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1. Shashi Bhushan Chand @ Bhikhari Chand, Son of Late Lalan Chand,
 2. Ravi Bhushan Chand, Son of Shashi Bhushan Chand, Both residence of Village- Ekwani, Police Station- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nitya Nand Tiwary, Advocate Mr. Mukesh Kumar, Advocate
For the State	:	Mr.Abhay Kumar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are in custody since 07.09.2018 in connection with Dumraon P.S. Case No.348 of 2018 registered under Sections 147, 148, 149, 302 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioners submits that the entire case is false and frivolous as it is hardly believable that the informant has seen the occurrence at 9.30 P.M. It is further submitted that even if the facts and circumstances as detailed in the F.I.R. are taken into consideration, the main allegation is against one Vidya Bhushan Chand and not against these petitioners. It is further submitted that there was an earlier



dispute between the parties and it is because of such circumstances, that the petitioners have also been implicated in connection with the present case.

Considering the aforementioned facts and circumstances of the case and that the petitioners are agnates and there had been previous disputes between the parties, which led to the lodging of cases, which are detailed in paragraph-3 of the present application, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No.348 of 2018, subject to the following conditions :

(1) One of the bailors of each of the petitioners will be their blood relative.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.



(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

Nasimul/P.N.M.

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