

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1874 of 2020

Arising Out of PS. Case No.-41 Year-2019 Thana- MANER District- Patna

1. Mohan Rai @ Mohan Kumar Son of Shri Shivjee Rai Resident of Balwant Tola, Dost Nagar, Sherpur, P.S.-Maner, District-Patna.
2. Kamlesh Kumar @ Kamlesh Rai Son of Bharat Rai Resident of Balwant Tola, Dost Nagar, Sherpur, P.S.-Maner, District-Patna.
3. Mukesh KUMar @ Mukesh Rai Son of Late Nand Kumar @ Late Ram Kumar Rai Resident of Balwant Tola, Dost Nagar, Sherpur, P.S.-Maner, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioners and
learned A.P.P for the State.

The petitioners apprehend their arrest in **Maner P.S. Case No. 41 of 2019**, registered for the offence punishable under Sections 147, 148, 149, 323, 341, 307, 354(B), 335, 427, 379, 504, 506, 120B of the Indian Penal Code and section 27 of the Arms Act.

It is submitted on behalf of petitioners that petitioners have falsely been implicated in this case due to land dispute. There is case and counter case between the parties. Specific allegation of firing is against co-accused Gopal Kumar.



There is general and omnibus allegation against these petitioners. Moreover, other co-accused have been granted bail by a coordinate Bench of this court vide order dated 20.06.2019 passed in Cr. Misc. No. 37383 of 2019 (Annexure-3). Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioners above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Ist Class, Danapur (Patna)** in connection with **Maner P.S. Case No. 41 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.



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

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

