

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18779 of 2020

Arising Out of PS. Case No.-141 Year-2019 Thana- BIHPUR District- Bhagalpur

1. Sharvan Kumar @ Sharvaniya @ Sharvan Kumar aged about 30 years Son of Late Nepali Kuwar (Kumar) @ Sunil Kuer (Kumar) Resident of Village - Sonbarsa, P.S.- Bihpur, District- Bhagalpur
2. Santosh Kumar @ Santosh Kumar, aged about 32 years, Son of Late Nepali Kuwar (Kumar) @ Sunil Kuer (Kumar) Resident of Village - Sonbarsa, P.S.- Bihpur, District- Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Aditya Nath Pandey, Advocate

For the Opposite Party : Mr.Sanjay Kumar Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-06-2020 Heard learned counsel for the parties.

Petitioners are accused in a case registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code read with section 27 of the Arms Act.

Prosecution's case, in brief, is that petitioners demanded rangdari and on refusal petitioner no.1 opened fire. However, the same did not cause any injury to the other side.

Learned counsel appearing for the petitioners, while denying the allegations, submits that the petitioners have falsely been implicated in this case. Nothing incriminating has come against the petitioners during investigation to connect them with the alleged offence. They are in custody since 12.12.2020. Charge sheet has also been filed in the case.



Considering the facts of the case, let all the petitioners, above named, 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 Additional Chief Judicial Magistrate I, Naugachia in Bihpur Police Station Case No. 141 of 2019, 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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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