

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18719 of 2020

Arising Out of PS. Case No.-281 Year-2019 Thana- NARPATGANJ District- Araria

1. Yogesh Chandra Das @ Yogesh Das Son of Jagbandhu Das Resident of Village - Bela Refugee Colony, P.S.- Basmatiya (Narpatganj), District - Araria.
2. Jeevan Das @ Jeevan Kumar Das Son of Yogesh Chandra Das Resident of Village - Bela Refugee Colony, P.S.- Basmatiya (Narpatganj), District - Araria.
3. Tapan Das @ Tapan Kumar Das Son of Yogesh Chandra Das Resident of Village - Bela Refugee Colony, P.S.- Basmatiya (Narpatganj), District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-06-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned A.P.P for the State.

The petitioners seek bail in **Narpatganj (Basmatiya) P.S. Case No. 281 of 2019**, registered for the offence punishable under Sections 302, 120B and 34 of the Indian Penal Code.

As per prosecution case, on 08.05.2019 at 8.00 am, while the father and brother of informant were coming on



motorcycle and when they reached at the culvert, all the 66 named persons including this petitioner assaulted the father and brother of informant by means of deadly weapons including firearm, as a result of which, they sustained injury and died.

It is submitted on behalf of the petitioners that petitioners have falsely been implicated in this case. There is general and omnibus allegation against these petitioners and no specific overt act has been attributed against these petitioners. Chargesheet has already been submitted. Petitioners are in custody since 05.02.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioners above-named, 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 **Chief Judicial Magistrate, Araria** in connection with **Narpatganj (Basmatiya) P.S. Case No. 281 of 2019** subject to following 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)

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