

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28671 of 2020

Arising Out of PS. Case No.-179 Year-2015 Thana- LAKHISARAI District- Lakhisarai

1. Bablu Ram @ Sanjay Ram, S/o Shankar Ram, Resident of Village- Kabaiya Kahartoli, Police Station- Kabaiya, District- Lakhisarai
2. Sonu Kumar, S/o Sudhir Ram, Resident of Village- Kabaiya, Kahartoli, P.S.- Kabaiya, District- Lakhisarai
3. Pappu Kumar @ Suman Kumar Saurav, S/o Upendra Ram, Resident of Village- Kabaiya, Kahartoli, Police Station- Kabaiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Advocate
For the Opposite Party/s : Mr.Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-12-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Lakhisarai (Kabaiya) P.S. Case No.179 of 2015



registered for the offence punishable under Sections 147, 148, 149, 323, 325, 307, 353, 386, 504 of the Indian Penal Code.

There is an allegation of clash between two groups over bathing in the Kiul river.

Petitioner's counsel submits that the petitioners have no criminal antecedents. There is general and omnibus allegation against 50-60 persons. Police have not submitted chargesheet under Sections 307 and 356 of the Indian Penal Code. It is also submitted that in the conflict, both sides have sustained injuries, which are superficial in nature. Petitioner's submission is of false implication.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, 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 learned C.J.M., Lakhisarai, in connection with Lakhisarai (Kabaiya) P.S. Case No.179 of 2015, subject to the conditions as



laid down in Section 438(2) of the Code of Criminal Procedure
as also subject to the following conditions:

(i) That one of the bailors of each
of the petitioners will be a close relative of
the petitioners who will give an affidavit
giving genealogy as to how he is related with
the petitioners concerned. The bailors will
also undertake to inform the court if there is
any change in the address of the petitioners.

(ii) That the petitioners will be
well represented on each date and if they fail
to do so on two consecutive dates, their bail
bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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