

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1516 of 2020

Arising Out of PS. Case No.-57 Year-2017 Thana- SRINAGAR District- West Champaran

1. DEVENDRA PRASAD Son of Radha Kishun Prasad
2. Dharichhan Chaudhary Son of Ramauatar Chaudhary
Both are Resident of Village-Gobarahi, Police Station-Shrinagar (Pujahan),
District-West Champaran.
3. Jaiprakash Prasad Son of Raghunath Prasad Resident of Village-Santghat,
Police Station-Bairiya, District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

There is case and counter case. Allegation against petitioner-Devendra Prasad is that he fired, however, no injury was caused to anyone. There is no overtact alleged against petitioner-Dharichhan Chaudhary. Petitioner-Jaiprakash Prasad caused injury at the hand of the injured.



Considering the entire facts as well as allegation against the petitioners, in my view, this is not a fit case wherein the petitioners should be compelled to go to jail, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Shrinagar (Pujahan) Police Station Case No.57 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and both bailors shall be resident of territorial jurisdiction of the learned court below as well as petitioners shall not leave the country without permission of the Court and further the petitioners shall fully cooperate with the investigation of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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