

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41436 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- HARSIDHI District- East Champaran

1. Pramod Kumar Shukul Son of Shyamakant Shukul Resident of Village - Gobindapur, P.S.- Harsidhi, Distt.- East Champaran.
2. Bablu Kumar Son of Hiranman Ram Resident of Village - Chainpur Varti Tjola, P.S.- Harsidhi, Distt.- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Sucheta Yadav, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Harsidhi P.S. Case No. 107 of 2021, registered for the offence punishable under Sections 307, 323 and other allied sections of the Indian Penal Code, section 3/4 of Damage to Public Property Act and section 27 of the Arms Act.

As per the prosecution case, 166 FIR named including the petitioners and 800 unknown persons have made fatal assault on the police, created disturbance in discharge of official duty, burnt bike and tried to snatch arms of police personnel. It is further alleged that they also assaulted police personnel with



lathi, danda, bhala, and Garasa and also made firing.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against all the accused persons and no specific overt has been alleged against the petitioners. Petitioners have got clean antecedent as stated in paragraph 3 of the bail petition. Petitioners are in custody since 17.3.2021. Similarly situated co-accused has already been allowed bail by this Court vide order passed in Cr.Misc.No. 38607/21.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 107 of 2021, subject to 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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