

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8735 of 2021**

Arising Out of PS. Case No.-44 Year-2020 Thana- KINJAR District- Jehanabad

1. VIKASH KUMAR @ VICKY S/O SURYDAYAL YADAV R/O VILLAGE-BAJEETPUR, POLICE STATION-KINJAR IN THE DISTRICT OF ARWAL
2. KAMAL YADAV S/O LATE RAMBILASH YADAV R/O VILLAGE-BAJEETPUR, POLICE STATION-KINJAR IN THE DISTRICT OF ARWAL
3. BIMLESH KUMAR S/O KAMAL YADAV R/O VILLAGE-BAJEETPUR, POLICE STATION-KINJAR IN THE DISTRICT OF ARWAL

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Ms.Anita Kumari,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 30-04-2021 Learned counsel for the petitioners undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Ms. Anita Kumari, learned APP for the State.

The petitioners in the present case are seeking regular bail in connection with Kinjar P.S. Case No. 44 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 447, 504, 506, 325 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the petitioners submits that the allegation against the petitioners including 3-4 unknown persons is of



causing injury to the informant and his family members with farsa, lathi and danda. It is also alleged that accused persons indiscriminately started firing which caused injury to the Bhabhi of the informant on her leg.

Learned counsel for the petitioners submits that the petitioner are innocent and have falsely been implicated in the present case. It is submitted that investigation against the petitioners is complete. The petitioners are in custody in connection with the present case since 02.08.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case wherein it is appears from the First Information Report that there are altogether 15 named accused persons against whom there are allegations of indiscriminate firing of 20-25 rounds causing injury to the Bhabhi of the informant on her leg and some other persons from the prosecution side have suffered injury by rod, ladhi and danda, however, there is no specific allegation against the petitioners, the petitioners have remained in jail since 02.08.2020, petitioner no. 1 has got a case on his head whereas petitioner nos. 2 and 3 have got two cases on their head but in all those cases they are said to be on bail, this Court directs release of the petitioners above named on bail on furnishing of bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate, Arwal, in connection with Kinjar P.S. Case No. 44 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

