

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74939 of 2023

Arising Out of PS. Case No.-930 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Rahul Kumar, Son Of Raghuvansh Singh @Raghunath Singh @ Raghuvanshi Singh Resident Of Village - Dulma, P.S. - Madhuban, District - East Champaran
 2. Raghuvansh Singh @ Raghunath Singh @ Raghuvanshi Singh, Son Of Bhola Singh Resident Of Village - Dulma, P.S. - Madhuban, District - East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kishori Sharan Singh, Son Of Late Yugeshwar Singh Resident Of Village And P.O. - Dulma, P.S. - Madhuban, District - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Complaint Case No. 930 of 2018, dated 24.05.2018 in which
cognizance has been taken under Sections 395/34 of the Indian
Penal Code.

3. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence.
Counsel also submits that both the parties are agnates and there
is a land dispute going on between the families. Counsel further



submits that even if the complaint is said to be true then there is no specific allegation against the present petitioners.

4. Learned counsel for the petitioners submits that other allegations are omnibus and general that they were present at the place of occurrence and there is no act of overact against the present petitioners. Counsel also submits that antecedent of the petitioners are clean and they are in custody since 30.08.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that it transpires from the allegation made in the complaint that there is involvement of present petitioners.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with Complaint Case No. 930 of 2018, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their



bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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