

Arising Out of PS. Case No.-756 Year-2023 Thana- BIDUPUR District- Vaishali

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- Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Vasant Vikas, Advocate
For the Opposite Party/s : Mr. Suman Kumari Singh, APP

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ORAL ORDER

1. Heard learned counsel for the petitioners as well

2. The petitioners seek bail in anticipation of their

3. The learned counsel for the petitioners submit that

4. It is next submitted that petitioners were not



conscious possession and they came to be implicated in the instant case based on confessional statement of apprehended accused in police custody which does not have any evidentiary value. It is also submitted that petitioners will not abscond, rather will cooperate in the investigation to prove their innocence.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No.756 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a further condition that one of the bailor of the petitioner no.1 and 2 shall be their father Jhimilal Rai and one of the bailor of petitioner no.3 shall be his father Laljee Rai.

7. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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