

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83149 of 2023

Arising Out of PS. Case No.-13 Year-2006 Thana- LAKHISARAI District- Lakhisarai

1. VIJAY SINGH SON OF LATE DASHRATH SIJNGH R/O VILLAGE-OLIPUR, P.S.- PIPARIA, DISTRICT- LAKHISARAI, PRESENTLY RESIDING AT MEGHRAI NAGAR, VIDYA PITH, LAKHISARAI, P.S.- LAKHISARAI, DISTRICT- LAKHISARAI
2. ARVIND SINGH @ ARVIND KUMAR SINGH SON OF LATE DASHRATH SINGH R/O VILLAGE- OLIPUR, P.S.- PIPARIA, DISTRICT- LAKHISARAI, PRESENTLY RESIDING AT MEGHRAI NAGAR, VIDYA PITH, LAKHISARAI, P.S.- LAKHISARAI, DISTRICT- LAKHISARAI
3. SHIV KUMAR SINGH SON OF LATE DASHRATH SINGH R/O VILLAGE- OLIPUR, P.S.- PIPARIA, DISTRICT- LAKHISARAI, PRESENTLY RESIDING AT MEGHRAI NAGAR, VIDYA PITH, LAKHISARAI, P.S.- LAKHISARAI, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Kumar, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 364, 302, 201/34 of the IPC.

3. As per the prosecution case, the F.I.R. named accused persons including the petitioners are said to have killed the son of the informant and disposed off the dead body.

4. It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. After investigation, police has filed final form and the Court below accepted the final form but during the trial, some of the witnesses took name of the petitioners and on that basis, the Court below has summoned the petitioners u/s 319 of the Cr.P.C. Petitioner nos.1 and 3 have two criminal antecedent and petitioner no.2 has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since the petitioners were summoned u/s 319 of the Cr.P.C., let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Lakhisarai P.S. Case No.13 of 2006, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. However, petitioners are directed to co-operate in the trial and if they fail to appear on two consecutive dates fixed by the learned Court below, the bail bonds of the petitioners shall be cancelled by the learned Court below itself.

(Anjani Kumar Sharan, J)

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