

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20126 of 2014

Arising Out of PS.Case No. -267 Year- 2013 Thana -BIBHUTIPUR District- SAMASTIPUR

1. Birendra Sah, Son of Shivu Sah
2. Kailu Sah, Son of Late Anup Sah
3. Dayanand Sah, Son of Late Chhatthu Sah
4. Shivu Sah, Son of Late Anup Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL ORDER

2 31-07-2014

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

The petitioners, apprehending their arrest in connection with a case registered for the offence punishable under Sections 147, 148, 149, 342, 307/34 of the Indian Penal Code and 27 of the Arms Act, are named accused in this case of assault.

Submission is of false implication with ulterior motive and delayed institution of the case without any explanation. Further, specific accusation of shooting at is against non-petitioner, namely, Pappu Sah, who is brother of petitioner no. 1 and none of these petitioners carry any criminal antecedent except petitioner no. 1, who carries one case against, i.e., Complaint Case No. 467 of 2011, wherein, he is on bail.

If it is so, considering the facts and circumstances of the case, in the event of their arrest or surrender before the court below within four weeks, let the petitioners abovenamed be enlarged on bail on furnishing bail

bonds of Rs. 10,000/- (Ten Thousand only) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Rosera, Samastipur, in connection with Bibhutipur P.S. Case No. 267 of 2013, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure with additional condition to remain physically present before the court below on each and every date at least for two years or till disposal of the case, whichever is earlier and in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled.

(Akhilesh Chandra, J)

Praveen-II/-

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