

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29618 of 2015

Arising Out of PS.Case No. -212 Year- 2015 Thana -KATIHAR District- KATIHAR

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1. Raja Kumar Mahaldar, Son of Satan Mahaldar
2. Raju Kumar Mahaldar @ Raju Kumar, Son of Nityanand Mahto,
Both Resident of village- Nayatola Shiv Mandir Chowk Near Bishari
Asthan, P.S. Katihar Sadar, District- Katihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Md. Musowir, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-07-2015 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323 and 384 read with Section 34 of the Indian Penal Code registered in connection with Katihar (Nagar) P.S. Case No.212 of 2015.

3. It is submitted that the petitioners have been falsely implicated as the accusations against them are general and omnibus. It is further submitted that the accusations are highly improbable considering the time and place of occurrence being in the evening on a public road. The injuries in any event are simple in nature as the accusations of assault are by fists and slaps.

4. Having regard to the entirety of the facts and

circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Katihar (Nagar) P.S. Case No.212 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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