

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36212 of 2016

Arising Out of PS.Case No. -320 Year- 2013 Thana -BASANTPUR District- SIWAN

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1. Md. Gillani @ Md. Gulam Gillani, S/o Taiyab Mian
2. Jarina Khatoon, W/o Md. Gillani
3. Taiyab Mian @ Md. Taiyab @ Taiyab Ali, S/o Late Sahebjada Mian
All are resident of Village-Khawaspur, P.S.- Basantpur, District- Siwan

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioners : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 363, 366 and 366A and 34 of the Indian
Penal Code registered in connection with Basantpur P.S. Case No.
320 of 2013.

3. It is submitted that the petitioners have been falsely
implicated on mere suspicion. The complaint has been filed after
three months of the alleged occurrence. The parties are agnets and
there is land dispute between them.

4. Having regard to the entirety of the facts and
circumstances, 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) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Basantpur P.S. Case No. 320 of 2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions__

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That 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.

(iii) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/Ibrar

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