

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38441 of 2016

Arising Out of PS.Case No. -119 Year- 2015 Thana -RANIYATALAB District- PATNA

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1. Jitendra Kumar @ Jitendra Kumar Singh, son of Suryanath Sharma, resident of Village- Ankuri, P.S. Paliganj, District- Patna

2. Arbind Kumar @ Arbind Singh, son of Baijnath Singh, resident of Village- Jamalpura, P.S. Naubatpur, District- Patna.

Both presently residing at Village- Barah, P.S. Rani Talab, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioners : Mr. Jagannath Singh, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 448, 504, 379, 307 and 34 of the Indian Penal Code registered in connection with Rani Talab P.S. Case No. 119 of 2015.

3. It is submitted that the petitioners have been falsely implicated by reason of land dispute between the parties who are agnates. The injury report of the informant's father showing injury by sharp cut weapon belies the accusation of assault attributed to the petitioners with 'lathi'. The petitioners claim clean antecedents.

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 Sri Ranjit Prasad, learned Judicial Magistrate, Ist Class, Danapur, District. Patna, in connection with Rani Talab P.S. Case No. 119 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) 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 not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) 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.

Chandran/BT

(Vikash Jain, J)

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