

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 38545 of 2016

Arising out of P.S. Case No. - 447 Year - 2015 Thana - BIRAUL District - DARBHANGA

- =====
1. Raj Jha @ Raj Kumar Jha, Son of Sachchu Jha
 2. Suraj Jha @ Surya Jha, Son of Sachchu Jha
- Both are resident of village – Uchhati, Police Station – Biraul,
District – Darbhanga

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Girish Chandra Jha, Advocate

For the Opposite Party: Mr. Lakshmi Kant Sharma, A.P.P.

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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 147, 148, 341, 323, 324, 307, 354,
380, 504 and 506 of the Indian Penal Code registered in connection
with Biraul P.S. Case No. 447 of 2015.

3. It is submitted that the petitioners have been falsely
implicated and in any event the injuries sustained by the informant
and his wife are simple in nature. The injury reports showing the
injuries caused by hard blunt substance belie the accusation of
assault by the petitioners with *Tengari* and *Farsa*. Petitioners claim
clean antecedents.

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 bonds of Rs.10,000/- (ten
thousand) each with two sureties of like amount each to the
satisfaction of learned Additional Chief Judicial Magistrate, Biraul
(Darbhanga) in connection with Biraul P.S. Case No. 447 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) 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 made 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.

(Vikash Jain, J.)

Kundan/BT

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