

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5289 of 2017

Arising Out of PS.Case No. -683 Year- 2016 Thana -SAHARSA District- SAHARSA

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1. Kari Sharma S/o Late Nand Ram Sharma
2. Ganeshi Yadav S/o Late Sukhdev Yadav @ Late Sukha Yadav. Both are
Resident of Village-Bajinath Patti Tola-Baluaha P.S.-Saharsa District-
Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 The petitioners are apprehending their arrest in

connection with Saharsa P.S. Case No. 683 of 2016, registered for

offences punishable under Sections 341, 323, 379, 384, 354, 504

and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that

large number of cases is going on between the parties. As a matter

of fact prior to the institution of the present case, the petitioner has

already filed a case against the informant's side and only with a

view to teach a lesson to the petitioners, the present false case has

been filed and sections like 379 and 384 of the Indian Penal Code

has been added only to make the case graver.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and

circumstances of the case and that earlier to filing of the present

case the petitioner no. 1, had already filed a case against



informant, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Saharsa P.S. Case No. 683 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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