

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53047 of 2018

Arising Out of PS.Case No. -138 Year- 2018 Thana -BAUNSI District- BANKA

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1. Annu Devi, W/o Krishna Mohan Sah,
2. Subham Kumar S/o Krishna Mohan Sah,
3. Chhoti Kumar @ Chhoti Kumari D/o Krishna Mohan Sah, All are R/o
Vill.- Acharaj, P.S.- Bounsi, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Jha, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-09-2018 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, 307, 379, 504, 506/34 IPC
registered in connection with Bounsi P.S. Case No. 138 of 2018.

3. It is submitted that the petitioners have been falsely
implicated and the allegations are general and omnibus in nature.
No specific injury is attributed to the alleged assault of the
petitioners. There is case and counter case between the parties
and all the injuries are simple in nature. The petitioners claim
clean antecedents.

4. Having regard to the entirety of the facts and
circumstances, as such, 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, Banka, in connection with Bounsi P.S. Case No. 138 of 2018 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 shall be a close relative of the petitioners.
- (ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioners shall co-operate with the investigation, if not already concluded, 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) The petitioner no.1 shall be well represented and petitioner nos. 2 and 3 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)

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