

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55278 of 2018

Arising Out of PS.Case No. -70 Year- 2018 Thana -NAUHATTA District- SAHARSA

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1. Shiv Shankar Sah, S/o Viko Sah,
2. Ram Chandra Sah S/o Viko Sah,
3. Faguni Devi W/o Viko Sah, All are R/o Vill.- and P.S.- Nauhatta,
District- Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kumar Goutam, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 307, 379, 447, 354, 504 of the Indian Penal Code registered in connection with Nauhatta P.S. Case No. 70 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event the injuries in question are simple in nature. The allegations have been made in the backdrop of the admitted land dispute between the parties (Annexure-3). Petitioner no. 3 claims clean antecedents and there is only one prior case against the petitioner nos. 1 and 2 instituted by the informant's side.

4. Be that as it may, 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Nauhatta P.S. Case No. 70 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 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) The petitioners shall cooperate 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 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)

Md. Ibrarul/-

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