

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55735 of 2018

Arising Out of PS.Case No. -109 Year- 2017 Thana -SAHIYARA District- SITAMARHI

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1. Gulzar Seikh, Son of Late Liyakat Seikh
 2. Jharai Seikh @ Jharala Seikh @ Izhar Seikh, Son of Late Liyakat Seikh.
 3. Anbar Seikh, Son of Late Liyakat Seikh.
 4. Jabbar Seikh, Son of Late Liyakat Seikh.
 5. Ashma Khatoon, Wife of Jabbar Seikh, R/o Village- Dhumha, P.S.- Sahiyara, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 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 341, 323,307, 379, 504, 506/34 IPC registered in connection with Sahiyara P.S Case No. 109 of 2017.

3. It is submitted that the petitioner has been falsely implicated and there is case and counter case between the parties. Fardbeyan of the sister of the petitioner no. 1 has been recorded in the Sadar Hospital, Sitamarhi, whereas the informant has given his statement before the Police which shows that there was no serious injury caused to him. The injuries sustained by the son of the informant are also 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, Sitamarhi, in connection with Sahiyara P.S Case No. 109 of 2017, 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 nos. 1 to 4 shall remain physically present and petitioner no. 5 shall be well represented 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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