

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48982 of 2018

Arising Out of PS.Case No. -628 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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1. Fahad Raja @ Fahad Ali Raja Son of Ahmad Raja@ Ahmad Hussain
2. Samar Raja Son of Nihal Raja Both Resident of Village Rajabari, P.S. K.
Hat Sahayak, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-09-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with K. Hat (Sahayak) P.S.Case no.628 of 2017 registered for offences punishable under Sections 341, 342, 323, 386 and 504/34 of the Indian Penal Code.

Allegation against the petitioners is that they had called the son of the informant at *Rajabari* and they assaulted him and also demanded Rs.05 lack, upon which he started weeping, as such the other persons assembled there and the accused persons fled away.

Submission of the learned counsel for the petitioners is that the materials collected during the course of investigation shows that the son of the informant had misbehaved with the daughter of Mahtab Alam and due to that the son of the informant was



assaulted and then the present false and concocted case has been lodged against the petitioners. The witnesses have also not supported the story of demand of Rs.05 lac.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea in connection with K.Hat (Sayak) P.S.Case nO.628 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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