

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53272 of 2018

Arising Out of PS.Case No. -437 Year- 2016 Thana -GHORASAHAN District- EASTCHAMPARAN
(MOTIHARI)

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1. Birendra Rai @ Virendra Rai, S/o Late Janak Rai,
2. Nakchhed Rai, S/o Late Janak Rai, Both are R/o Vill.- Rajawara, P.S.-
Ghorashan, Distt.- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party : 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, 324, 147, 148, 149, 307, 379, 504 and 506 of the Indian Penal Code registered in connection with Ghorasahan P.S. Case No. 437 of 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with land dispute between the parties. It is stated that after due investigation, police submitted charge sheet for only bailable offences but subsequently the court below took cognizance under Section 307 of the Indian Penal Code. The injuries are all simple in nature. The petitioners claim clean antecedents.

4. Learned counsel for the informant appears suo motu and opposes the bail petition.

5. 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 Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka in connection with Ghorasahan P.S. Case No. 437 of 2016 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) 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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