

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4240 of 2019

Arising Out of PS. Case No.-181 Year-2018 Thana- DHURAIYA District- Banka

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1. PREM SHANKAR SAH, son of Late Govind Sah Resident of Village-Pothia, P.S.- Dhoraiya, District- Banka.
 2. Babita Devi, w/o. Prem Shankar Sah Resident of Village-Pothia, P.S.- Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-01-2019 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, 341, 323, 307, 379, 504/506 IPC registered in connection with Dhoraiya P.S. Case No. 181/2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of a petty dispute and the informant's side are the aggressors, There is case and counter case between the parties. There is no injury report on record to corroborate the accusation of injury said to have been caused to the informant's side. The accusation of theft is mere embellishment. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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 Mr. Vikash Kumar, learned JM Ist Class, Banka, in connection with Dhoraiya P.S. Case No. 181/2018, 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 remain physically present and petitioner no. 2 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/-

(Vikash Jain, J)

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