

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5613 of 2019

Arising Out of PS. Case No.-61 Year-2018 Thana- SIKTI District- Araria

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1. Md. Zaffar S/o Shah Zamal resident of village-Gadahakat, Ward No.8, P.S-Sikti,Distt.-Araria.
 2. Md. Sanu @ Md. Sinu,s/o. Shah Zamal resident of village-Gadahakat, Ward No.8, P.S-Sikti,Distt.-Araria.
 3. Md. Hashib @ Md. Hasib,s/o. Mehruddin resident of village-Gadahakat, Ward No.8, P.S-Sikti,Distt.-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 504, 506, 354(B), 379/34 IPC registered in connection with Sikty P.S. Case No. 61 of 2018.

3. It is submitted that the petitioners have been falsely implicated in retaliation to an earlier FIR instituted on 15.04.2018 by the petitioner's side. There is unexplained delay of four days in instituting the present FIR on 18.04.2018 for the alleged occurrence of 14.04.2018. No injury has been caused to anyone and the non-bailable Sections of IPC are mere embellishments. The petitioners claim clean antecedents.

4. Be that as it may, 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 CJM, Araria in connection with Sikty P.S. Case No. 61 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 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 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)

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