

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6363 of 2019

Arising Out of PS. Case No.-255 Year-2014 Thana- JOKIHAT District-
Araria

- =====
1. Ziyauddin aged 55 years, Male, Son of Late Moharram
 2. Baharuddin aged 50 years, Male, Son of Late Moharram
 3. Imtiyaz aged 45 years, Male, Son of Late Moharram
- All three are resident of Village- Kakan, Tola Sherlangha, P.S. Jokihat, Dist-
Araria.
4. Emaz aged 30 years, Male, Son of Idrish
 5. Idrish aged 50 years, Male, Son of Sabadul
 6. Sahabul @ Rahbul aged 30 years, Male, Son of Baharuddin
- All three are Resident of Village - Vebhra, P.S.- Jokihat Dist.- Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ramesh Kumar Singh, Advocate.
For the Opposite Party: Mr. R.P. Nat , APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehends their arrest for the offences alleged under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code registered in connection with Jokihat P.S. Case No. 255 of 2014.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. The thrust of accusation of assault against Md. Kamal and the charge sheet has been submitted under bailable sections. The accusation of assault against these petitioners is general and omnibus and after investigation they have not been sent up for trial. The petitioners claims 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 Sub-Divisional Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 255 of 2014 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate 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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