

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5763 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- JALALGARH District-
Purnia

- =====
1. Jamtulla @ Md Jaytulla aged about 44 years, Male
 2. Md. Shakir @ Sakir aged about 40 years, Male
 3. Md. Zakir @ Jakir aged about 38 years, All three sons of Suleman @ md. Suleman.
 4. Alam @ Md. Alam aged about 24 years, Male, son of Jamutulla @ Md. Jaytulla
- All R/o Mohalla- Begampur, Fakir Tola, PS- Jalalgadh, District- Purnia.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Manoj Kumar, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-02-2019 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, 379, 447, 448, 436, 427, 504, 506/34 of the Indian Penal Code registered in connection with Jalalgarh P.S. Case No. 117 of 2018.

3. It is submitted that the petitioners have been falsely implicated and there is considerable delay of about eight days in instituting the F.I.R. on 28.06.2018 for the alleged occurrence of 20.06.2018. The thrust of accusation of setting the informant's house on fire is on co-accused Nuruddin. The accusation of assault upon the informant and burning of cash of Rs. 40,000/- is general and omnibus against all accused persons. 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 Chief Judicial Magistrate, Purnia in connection with Jalalgarh P.S. Case No. 117 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 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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