

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7667 of 2019

Arising Out of PS. Case No.-300 Year-2018 Thana- HISUWA District- Nawada

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1. Vidya Prakash Bhaskar @ Nitish Kumar, Male, aged about 24 years, son of Taneshwar Azad
 2. Umesh Mistry, Male, aged about 53 years, son of Parmeshwar Mistry, both Resident of Village-Mahadev Bigha, P.S.- Hiisua, District- Nawada
 3. Ranjit Yadav @ Ranjit Prasad @ Gore, Male, aged about 47 years, Son of Ramrup Prasad Yadav, Resident of Village - Andharwari, P.S.- Rajauli, District- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Deepak Kumar, Advocate
For the Opposite Party : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-02-2019 Learned counsel for the petitioners has filed a mentioning slip pointing out that through inadvertence, the text of the order dated 11.02.2019 has inadvertently been typed showing that the matter has been directed to be listed on 05.03.2019 for filing supplementary affidavit, whereas order had been passed granting anticipatory bail to the petitioners.

2. The matter has been verified from the shorthand notebook of the concerned Senior Secretary and so also, the progress of the case on 11.02.2019 shows that the matter had been disposed of granting anticipatory bail to the petitioners. This Court, therefore, is satisfied that the body of the order dated 11.02.2019 has erroneously been typed.

3. Accordingly, let order no. 2 dated 11.02.2019 be treated as corrected to read as follows --

“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, 307 and 504/34 of the Indian Penal Code registered in connection with Hisua P.S. Case No. 300 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the parties are neighbours. There is no injury report on record to corroborate the accusation of assault by the petitioners, who 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 300 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That 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.

(iv) That 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."

BT/Chandran

(Vikash Jain, J)

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