

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8333 of 2019

Arising Out of PS. Case No.-90 Year-2018 Thana- PHULPARAS District-
Madhubani

- =====
1. Dharmendra Kumar Bayas @ Dharmendra Bayas (male) aged about 40 years son of Late Anand Bayas
 2. Rajendra Prasad Kamat (male) aged about 55 years, son of Late Madan Lal Kamat, both are Resident of Village-Suriyahi, P.S.- Phulparas, District-Madhubani

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Ms. Sagarika, Advocate.

For the Opposite Party: Mr. Rambilas Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 307, 506, 504 of the Indian Penal Code and 27 of the Arms Act registered in connection with Phulparas P.S. Case No. 90 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of admitted land dispute in Case No. 2 of 2018 which was decided against the informant's side on 19.05.2018 prior to institution of the present F.I.R. The accusations are general and omnibus and the injuries are simple in nature. Similarly co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. No. 72952 of 2018.

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 Additional Chief Judicial Magistrate-IIInd Class, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 90 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) 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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