

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13268 of 2019

Arising Out of PS. Case No.-970 C Year-2017 Thana- COMPLAINT CASE District- Jamui *

1. Shivlal Baske, aged about 30 years, S/o Lodha Baske
 2. Sunil Baske, aged about 28 years, S/o Lodha Baske
 3. Sanju Baske , aged about 26 years, S/o Lodha Baske
 4. Chhote Lal Baske, aged about 24 years, S/o Lodha Baske
- All of them Resident of Village- Kurhwa, P.S – Chandramandi, District Jamui

... .. Petitioners

Versus

1. The State of Bihar
2. Nilam Tudu, aged about 18 years, D/o Matu Lal Tudu, Resident of Kurwa, P.S.-Sono (Chandramandi), District-Jamui.

... .. Opposite Parties

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-03-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 354 and 504 of the Indian Penal Code registered in connection with Complaint Case No. 970 (C) of 2017.

3. It is submitted that the petitioners, who are all brothers, have been falsely implicated on the accusation of molesting the complainant in each other's presence which is highly improbable and the accusation is general and omnibus in nature. The parties are relatives and the accusation has been made in the backdrop of a petty dispute. There is inordinate delay in filing the complaint on 17.07.2017 for the alleged occurrence of 12.07.2017. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jamui in connection with Complaint Case No. 970 (C) of 2017, 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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