

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8034 of 2019

Arising Out of PS. Case No.-399 Year-2018 Thana- UDWANTNAGAR
District- Bhojpur

- =====
1. Sanjay Kumar aged about 51 years, male, Son of Ramashish Singh
 2. Sameer Kumar Prabhakar aged about 24 years, male, Son of Sanjay Kumar
- Both are resident of Village – Godhna, P.S. Udwanthnagar, Dist- Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioners : Mr. Manoj Kumar, Advocate.

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 14-02-2019 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, 504, 324, 307, 379/34 of the Indian Penal Code registered in connection with Udwanthnagar P.S. Case No. 399 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute between the parties and the parties are *Gotiya*. Learned counsel for the petitioners states on instruction that in any event the injuries sustained by the informant and his mother attributed to the assault by these petitioners are simple in nature. 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 petitioner be released on provisional 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, Bhojpur at Ara in connection with Udwanthnagar P.S. Case No. 399 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) 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.

(iv) 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.

(v) That the provisional bail granted to the petitioners shall stand confirmed upon verification by the learned Court below that the injuries sustained by the informant and others are simple in nature. In case, the petitioners' claim fails upon verification, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

Ibrar/BT

U		T	
---	--	---	--

