

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8049 of 2019

Arising Out of PS. Case No.-64 Year-2018 Thana- DHAMDAHA District- Purnia

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1. MD. KALLU Son of Md. Arif @ Arif Resident of Village - Chhoti Tarauni, P.S.- Dhamdaha, District - Purnea.
 2. Nazbin Khatoon Daughter of Md. Arif @ Arif Resident of Village - Chhoti Tarauni, P.S.- Dhamdaha, District - Purnea.
 3. Md. Yaqub Son of Md. Hahi @ Noor Mohammad Resident of Village - Chhoti Tarauni, P.S.- Dhamdaha, District - Purnea.
 4. Md. Farid Son of Late Noor Mohammad Resident of Village - Chhoti Tarauni, P.S.- Dhamdaha, District - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Opposite Party/s : Mr.Rabindra Kumar

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 341, 323, 324, 376, 511, 379/34 IPC registered in connection with Damdaha P.S. Case No. 64 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event the accusation of assault against the petitioners are general and omnibus in nature without any specific assault attributed individually. The accusation under Section 376/511 IPC is against co-accused Md. Asfaque and the accusation of theft is ornamental 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 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 CJM, Purnea, in connection with Damdaha P.S. Case No. 64 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. That the petitioners shall co-operate 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 petitioner nos. 1, 3 and 4 shall remain physically present and the petitioner no. 2 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/-

(Vikash Jain, J)

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