

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8724 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- FORBESGANJ District-
Araria

- =====
1. Md. Qaisar @ Qaisar aged about 28 years, male, Son of Md. Mojib
 2. Md. Sarwar aged about 48 years, male, Son of Md. Mojib
 3. Md. Ansar aged about 40 years, male, Son of Md. Mojib
- All are resident of Village- Laxmipur Purandaha Ward No.-1, P.S.-
Forbesganj (Simraha), District- Arariya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Amit Kumar Jha, advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 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, 324, 307, 506, 504/34
of the Indian Penal Code registered in connection with
Forbesganj (Simraha) P.S. Case No. 379 of 2018.

3. It is submitted that the petitioners have been falsely
implicated in the backdrop of land dispute and there is case and
counter case between the parties. Statement is made at the *Bar*
that the injuries 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
petitioners 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, Arariya in connection with Forbesganj (Simraha) P.S. Case No. 379 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 are simple in nature. In case, the petitioners' claim fails upon verification, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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