

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14041 of 2019

Arising Out of PS. Case No.-158 Year-2018 Thana- BENIPATTI District- Madhubani

1. Suraj Ranjan @ Gulab aged about 30 years, Male, Son of Chandra Bhushan Paswan
 2. Sumitra Devi, aged 50 years, Female, Wife of Chandra Bhushan Paswan
 3. Prakash Ranjan @ Lal Babu, aged about years, Male, Son of Sri Chandra Bhushan Paswan
- All are resident of Village Tyounth Tola Brouli, P.S.- Benipatti, District - Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ratanakar Jha, Advocate
For the Opposite Party : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 379, 354(B), 504, 506 and 34 of the Indian Penal Code registered in connection with Benipatti P.S. Case No. 158 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of the land dispute and there is case and counter case between the parties. No injury has resulted from the assault by the petitioner nos. 1 and 2 and petitioner no. 3 is alleged to have assaulted with iron rod on the head of the informant which does not corroborate with the injury report which discloses that injury caused by sharp cutting weapon is 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 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, Benipatti in connection with Benipatti P.S. Case No. 158 of 2018, 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 petitioner no. 2 will be well represented and petitioner nos. 1 and 3 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.

(Vikash Jain, J)

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