

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16896 of 2019**

Arising Out of PS. Case No.-9 Year-2019 Thana- DHANAHA District- West
Champaran

- =====
1. Ramayan Patel aged about 47 years, male, Son of Late Subhnarayan Patel Resident of Village - Dihi, P.S.- Dhanaha, District -West Champaran
 2. Ashok Patel aged about 42 years, male, Son of Late Shankar Patel Resident of Village - Dihi, P.S.- Dhanaha, District -West Champaran
 3. Rajaram Patel aged about 39 years, male, Son of Late Jaikishun Patel Resident of Village - Dihi, P.S.- Dhanaha, District -West Champaran
 4. Butan Patel aged about 63 years, male, Son of Late Saryug Patel Resident of Village - Dihi, P.S.- Dhanaha, District -West Champaran
 5. Akhilesh Patel aged about 34 years, male, Son of Late Ramsurat Patel Resident of Village - Dihi, P.S.- Dhanaha, District -West Champaran
 6. Darshan Patel aged about 24 years, male, Son of Chabilal Patel Resident of Village - Dihi, P.S.- Dhanaha, District -West Champaran
 7. Awadhesh Patel aged about 26 years, male, Son of Thakur Patel Resident of Village - Dihi, P.S.- Dhanaha, District -West Champaran
 8. Umesh Patel aged about 34 years, male, Son of Late Chabilal Patel Resident of Village - Dihi, P.S.- Dhanaha, District -West Champaran
 9. Bittu Patel aged about 18 years, male, Son of Ramraj Patel Resident of Village - Dihi, P.S.- Dhanaha, District -West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioners : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 26-03-2019

Heard learned counsel for the petitioners and learned

APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 447, 440, 323, 324, 307, 379, 504 of the Indian Penal Code registered in connection



with Dhanaha P.S. Case No. 09 of 2019.

3. It is submitted that the petitioners have been falsely implicated as evident from the very fact that the so-called injured persons, after registering themselves in the emergency ward, did not turn up for treatment according to the letter dated 24.01.2019 addressed to the Officer Incharge, P.S. Dhanha, Dist-West Champaran (Annexure-2). There is no accusation of assault whatsoever alleged against the petitioner nos. 2, 3, 4, 8 and 9. 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 Additional Chief Judicial Magistrate 1st, Bagaha, West Champaran in connection with Dhanaha P.S. Case No. 09 of 2019, 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.

(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.

5. The provisional bail shall be confirmed after verification from the case diary that the so-called five injured persons registered themselves in emergency ward but did not turn up for treatment as stated in Annexure-2.

(Vikash Jain, J)

lbrar/BT

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

