

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20948 of 2019**

Arising Out of PS. Case No.-67 Year-2017 Thana- TARABARI District-
Araria

- =====
1. YUGESH MOHAN JHA, aged about 64 years, male, Son of Late Nand Mohan Jha Resident of Village - Ghruari Jmua, P.S.- Tarabari, District - Araria
 2. Dhananjay Kumar Jha aged about 28 years, male, Son of Yugesh Mohan Jha Resident of Village - Ghruari Jmua, P.S.- Tarabari, District - Araria

... .. PetitionerS

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the PetitionerS : Mr. Binod Kumar Yadav, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-04-2019 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, 354(B), 379, 504 and 506/34 of the Indian Penal Code registered in connection with Tarabari P.S. Case No. 67 of 2017.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of past disputes between the parties. The petitioner no. 1 and the informant are Samdhi and petitioner no. 2 is the son of petitioner no. 1. In the past the daughter of the petitioner no. 1 had filed Complaint Case No. 199C of 2016 under Section 498(A) IPC and allied sections and $\frac{3}{4}$ of Dowry Prohibition Act. The present F.I.R. has been filed in retaliation of the said earlier case. 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 Chief Judicial Magistrate, Araria in connection with Tarabari P.S. Case No. 67 of 2017, 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.

(Vikash Jain, J)

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