

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17578 of 2019

Arising Out of PS. Case No.-766 Year-2018 Thana- ARARIA District- Araria

1. Shabnam, aged about 45 years, (Female), Wife of Rakib
2. Shaheena Perween @ Shaina, aged about 22 years (Female), Daughter of Rakib
Both resident of Village Sisouna, P.S. & District Araria

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Uday Bhanu Pratap Ray, Mr. Baleshwar Kamat, Advocates
For the Opposite Party	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-03-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 452, 307 and 324/34 of the Indian Penal Code registered in connection with Araria P.S. Case No. 766 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of longstanding land dispute between the parties. The thrust of accusation of assault with knife is against other accused persons. There is no accusation of assault against the petitioner no. 1. The accusation of assault by the petitioner no. 2 with lathi on the head of the informant is not supported by the injury report. The petitioners are ladies claiming 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 Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 766 of 2018, subject to the conditions as laid down under Section 438 (2) of the 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 the petitioners shall be well represented in court on each and every date during trial except as and when directed by the learned Court to be physically present, 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.

BT/-

(Vikash Jain, J)

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