

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19618 of 2019**

Arising Out of PS. Case No.-96 Year-2016 Thana- BHARGAMA District-
Araria

- =====
1. Sukindra Sah @ Sukendra Sah, aged about 65 years, male, Son of Late Gulab Chand Sah Resident of Village - Shekhpura, Ward No. 07, P.S.- Bhargama, Dist.- Araria
 2. Chhedi Sah @ Rajesh Sah, aged about 27 years, male, Son of Krishnadev Sah Resident of Village - Shekhpura, Ward No. 07, P.S.- Bhargama, Dist.- Araria
 3. Latu Sah @ Laltu Sah, aged about 25 years male, Son of Krishnadev Sah Resident of Village - Shekhpura, Ward No. 07, P.S.- Bhargama, Dist.- Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ramesh Kumar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 149, 341, 323, 307, 504, 506 of the Indian Penal Code registered in connection with Bhargama P.S. Case No. 96 of 2016.

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. The thrust of accusation is upon co-accused Naresh Sah and Krishnadev Sah. The accusation of assault is general and omnibus without any specific assault attributed individually. The injuries are simple in nature. The criminal antecedents of the petitioner nos. 1 and 2 relate to



ongoing dispute between the same parties.

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 Bhargama P.S. Case No. 96 of 2016 arising out of G.R. Case No. 2426 of 2016, 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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