

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20086 of 2019**

Arising Out of PS. Case No.-119 Year-2018 Thana- THARTHARI District-
Nalanda

- =====
1. Pappu Kumar @ Pappu Prasad, aged about 40 years, male, Son of Jagdish Prasad
 2. Amresh Prasad aged about 36 years, male Son of Late Saheli Prasad.
 3. Vijay Prasad aged 40 years, male, Son of Late Saheli Prasad
 4. Mikki Kumar @ Miki Prasad, aged about 26 years, male, Son of Ganesh Prasad
 5. Binay Kumar @ Binay Prasad, aged 28 years, male, Son of Ram Gulam Prasad
- All Resident of Village - Bhattu Bigha, P.S.- Tharthari, Distt.- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Mukherjee, 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, 504 and 307/34 of the Indian Penal Code registered in connection with Tharthari P.S. Case No. 119 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute between the parties. The injuries attributed to the assault by the petitioners are 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 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, Hilsa, Nalanda in connection with Tharthari P.S. Case No. 119 of 2018, 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 of the petitioners.

(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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