

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19699 of 2019**

Arising Out of PS. Case No.-179 Year-2007 Thana- BIBHUTIPUR District-
Samastipur

- =====
1. Arjun Rai @ Arjun Yadav, aged about 41 years, male, Son of Bego Yadav @ Ram Swarth Rai Resident of Village - Bijaiya, P.S.- Mansoorchak, Distt.- Begusarai
 2. Arjun Yadav aged about 39 years, male, Son of Late Sukho Yadav @ Late Sukhdev Yadav Resident of Village - Bijaiya, Makdampur, P.S.- Mansoorchak, Distt.- Begusarai

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Lakshmindra Kumar Yadav, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-04-2019 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, 148, 149, 341, 323, 337 and 302 of the Indian Penal Code registered in connection with Bibhutipur P.S. Case No. 179 of 2007 corresponding to T.R. No. 2052 of 2018.

3. It is submitted that the petitioners have been falsely implicated and there is delay of about seven days in filing the Complaint Case No. 824 of 2007 on 10.10.2007 for the alleged occurrence of 02.10.2007 which was controverted into the present F.I.R. ON 20.10.2007. After due investigation, the police did not find any case against the petitioner and submitted final form, differing with which, however, cognizance was taken. Similarly situated co-accused Saroj Kumar Thakur @ Saroj



Thakur and Naresh Jha @ Ram Naresh Jha have been granted anticipatory bail by this Court in Cr. Misc. No. 16695 of 2019. 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 Sub-Divisional Judicial Magistrate, Rosera Samastipur in connection with Bibhutipur P.S. Case No. 179 of 2007 corresponding to T.R. No. 2052 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 shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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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