

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24246 of 2019

Arising Out of PS. Case No.-429 Year-2018 Thana- DUMRA District- Sitamarhi

1. MD. NAWIZ Son of late Najir Resident of Village - Basatpur, P.S.- Dumra, Distt - Sitamarhi.
2. Noor Jahan Khatoon Wife of Md. Nawiz Resident of Village - Basatpur, P.S.- Dumra, Distt - Sitamarhi.
3. Md. Faishal Son of Md. Nawiz Resident of Village - Basatpur, P.S.- Dumra, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 18-07-2019 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, 325, 354, 354(B), 354(D), 504/34 IPC registered in connection with Dumra P.S. Case No. 429 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event the accusation under Section 354(B) IPC are against co-accused Md. Murtuza. The remaining offences alleged are bailable in nature. All the accused persons are family members and no injury report is available on record. 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 CJM, Sitamarhi, in connection with Dumra P.S. Case No. 429 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 co-operate 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. The petitioner nos. 1 and 3 shall remain physically present and petitioner no. 2 shall be well represented 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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