

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24279 of 2019**

Arising Out of PS. Case No.-15 Year-2019 Thana- BARGAINIA District-
Sitamarhi

- =====
1. MUBARAK HUSSAIN, aged about 44 years, male, Son of Yasin Miyan Resident of Village-Bheri, P.S.-Bairgania, District-Sitamarhi.
 2. Mustak Miyan @ Mustak, aged 30 years, male, Son of Mubarak Hussain Resident of Village-Bheri, P.S.-Bairgania, District-Sitamarhi.
 3. Bismillah Miyan, aged 52 years, male, Son of Late Kasi Mohammad Resident of Village-Bheri, P.S.-Bairgania, District-Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dinesh Jha, Advocate.

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-04-2019 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, 324, 307, 504, 506 of the Indian Penal Code registered in connection with Bairgania P.S. Case No. 15 of 2019.

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 petitioners' side has also received serious injuries. The petitioners are accused in one prior case which has also been instituted by the informant's side and in which they are on bail.

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 provisional 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, Sitamarhi in connection with Bairgania P.S. Case No. 15 of 2019, 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 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 bond shall be liable to be cancelled by the learned Court concerned.

5. The provisional bail shall be confirmed upon verification that the informant has not sustained any grievous injury. In case grievous injuries are found, the provisional bail shall stand automatically cancelled.

(Vikash Jain, J)

Ibrar/BT

U		T	
---	--	---	--

