

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20118 of 2019

Arising Out of PS. Case No.-594 Year-2018 Thana- KHAGARIA District- Khagaria

1. Deepak Banka, Aged about 46 years Male Son of Late Sita Ram Banka,
2. Jyoti Banka, Aged about 42 years Female Wife of Deepak Banka,
All are resident of Mill Road, Ward No.-8, P.S. and District- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Binod Kumar, Advocate
For the Opposite Party : APP

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 448, 504, 506, 285, 307, 379, 385 and 34 of the Indian Penal Code registered in connection with Khagaria P.S. Case No. 594 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute between the parties as the petitioners' side is the landlord and the informant's side is tenant. Earlier petitioner no. 2 had lodged a Sanha bearing Informatory Petition No. 834 of 2016 and subsequently, instituted Khagaria P.S. Case No. 595 of 2018 against the informant and others. The injuries are simple in nature. The petitioners are accused in one more case namely, Khagaria P.S. Case No. 910 of 2017 filed by the same informant 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 bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 594 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That petitioner no. 1 shall remain physically present in court on each and every date during trial and petitioner no. 2 shall be well represented in court on each and every date during trial except as and when directed by the learned court to be physically present, 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.

(iv) 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.

BT/-

(Vikash Jain, J)

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

