

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23050 of 2019

Arising Out of PS. Case No.-559 Year-2018 Thana- FORBESGANJ District- Araria

1. Sanjay Roy aged about 25 years (M) Son of Mangan Roy
2. Mangan Roy aged about 60 years (M) Son of Rameshwar Roy
3. Vijay Roy @ Vijoy Roy aged about 38 years (M) Son of Mangan Roy
4. Govind Roy aged about 21 years (M) Son of Mangan Roy
5. Mundrika Roy aged about 35 years (M) Son of Late Narayan Roy
6. Shyamanand Roy aged about 38 years (M) Son of Buddan Roy
7. Birju Roy aged about 55 years (M) Son of Late Garib Roy
8. Dablu Roy @ Dablu Kumar aged about 19 years (M) Son of Birju Roy All are residents of Village- Matiyari, Ward No. 04, P.S.- Forbesganj, District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-04-2019 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, 323, 341, 354(B), 307, 380, 427, 504 and 506 of the Indian Penal Code registered in connection with Forbesganj P.S. Case No. 559 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute for which Tittle Suit No. 06 of 2018 is pending. There is case and counter case between the parties. There is general and omnibus accusation against the petitioners and there is no specific overt act of assault against them. Injuries sustained by Mohan Roy and Ramu Roy 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 559 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 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.

(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)

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