

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19806 of 2019

Arising Out of PS. Case No.-601 Year-2018 Thana- MADHAURAH District- Saran

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1. Mahesh Mishra @ Mahesh Kumar Mishra Aged about 31 years Male
 2. Dinesh Mishra @ Dinesh Kumar Mishra Aged about 29 years Male \ Both Sons of Harishyachand Mishra
 3. Dinesh Pandey @ Provi Pandey @ Parori Pandey Aged about 28 years Male Son of Baban Pandey All residents of Village-Mobarakpur, P.S-Marhowrah, District-Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar Mishra, 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 147, 148, 149, 379, 435, 436, 427, 506 and 504 of the Indian Penal Code registered in connection with Madaura (Marhowrah) P.S. Case No. 601 of 2018.

3. It is submitted that the petitioners have been falsely implicated on the accusation that they set the house of the informant on fire and his household goods and vehicles were destroyed. The first information report is against as many as 15 named persons and 100-150 unknown persons. There is case and counter case between the parties. The accusations are gender and omnibus in nature and no specific accusation has been made against the petitioners individually. Similarly situated accused persons , namely, Amar Nath Sah, Rajan Kumar Sah @ Rajan Sah, Jitendra Sah, Sonu Sah, Sunil Sah, Rahul Kumar, Lakshman Sah, Amit Kumar, Raj Kumar Sah @



Raju Kumar and Ravi Kumar have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 15.03.2019 passed in Cr. Misc. No. 16373 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Saran at Chapra in connection with Madaura (Marhowrah) P.S. Case No. 601 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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