

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76656 of 2018

Arising Out of PS. Case No.-654 Year-2017 Thana- TURKAULIYA District- East
Champaran

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1. Amerika Mahto S/o Late Mohan Mahto
 2. Tuntun Mahto S/o Amerika Mahto Both are Residents of Village- Koraiya,
P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 15-03-2019 Heard learned counsel for the petitioners and learned APP for the
State.

2. The petitioners apprehend their arrest for the offences alleged
under Sections 341/323/324/504/379/34 and 307 IPC registered in
connection with Turkaulia (Banjariya) P.S. Case No. 654/2017.

3. It is submitted that the petitioners have been falsely
implicated and after due investigation the police has submitted charge
sheet against the petitioners only under bailable Sections, but differing
from the same cognizance has been taken under non-bailable Sections
as well. It is submitted that there is nothing to show that the injuries
are grievous 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 bond of Rs.10,000/- (ten thousand)
with two sureties of like amount each to the satisfaction of learned
CJM, East Champaran, in connection with Turkaulia (Banjariya) P.S.
Case No. 654/2017, 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 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.

(Vikash Jain, J)

Chandran/-

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