

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22554 of 2019

Arising Out of PS. Case No.-464 Year-2018 Thana- RAJAON District- Banka
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1. Raju Rajak, aged about 32 years, male, Son of Late Munilal Rajak Resident of Village- Bakhadda, P.S.- Rajoun, District- Banka.
2. Diwakar Rajak, aged about 22 years, male, S/o Manoj Rajak Resident of Village- Bakhadda, P.S.- Rajoun, District- Banka.
3. Ratan Rajak, aged about 28 years, male, S/o Late Munilal Rajak Resident of Village- Bakhadda, P.S.- Rajoun, District- Banka.

... Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party: APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-04-2019

Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 447, 307, 504/34 of the Indian Penal Code registered in connection with Rajoun P.S. Case No. 464 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute between the children of the parties and there is case and counter case. There is no injury on record to indicate that any of the injuries sustained by the informant's side is grievous in nature. The petitioner claims 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 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, Banka in connection with Rajoun P.S. Case No. 464 of 2018, 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 of each of the petitioners shall be their close relatives 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 bonds shall be liable to be cancelled by the learned Court concerned.

5. The provisional bail shall be confirmed upon verification by the learned Court below that none of the injuries



sustained by the informant’s side attributed to the assault by the petitioners is grievous in nature. In case any such injuries is found to be grievous the provisional bail shall stand cancelled.

(Vikash Jain, J)

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