

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22789 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- KHIRI MORE District- Patna

1. MD. KHURSID ALAM @ GUDDU Son of Abdul Rasid Ansari Resident of village- Bihar Lakh, P.S.- Obara, District- Aurangabad, at present Chhatabad, P.S.- Kataras, Garh, District- Dhanbad (Jharkhand)
2. Abdul Rasid Ansari Son of Late Abdul Rahman Ansari Resident of village- Bihar Lakh, P.S.- Obara, District- Aurangabad at present Chhatabad, P.S.- Kataras, Garh, District- Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Ms.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-04-2019 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, 379, 506, 504/34 IPC registered in connection with Khiri More P.S. Case No. 85/2018.

3. It is submitted that the petitioners have been falsely implicated in retaliation to M.T.S. Case No. 736 of 2018 filed by the petitioner no. 1 for restitution of conjugal rights. The petitioner no.1 and petitioner no. 2 are the son-in-law and Samdhi respectively of the informant. The accusation that the petitioners entered the informant's house and took away a bag with Rs. 2,00,000/- is highly improbable 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) each with two sureties of like amount each to the satisfaction of



learned ACJM III, Danapur, in connection with Khiri More P.S. Case No. 85/2018, 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 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)

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