

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25958 of 2019

Arising Out of PS. Case No.-167 Year-2018 Thana- SATHI District- West Champaran

1. SAIFULLAH Son of Sheikh Asique, Resident of Village - Bazaar Bela, P.S.- Sathi, Distt.- West Champaran.
2. Sheikh Suba Son of Sheikh Asique Resident of Village - Bazaar Bela, P.S.- Sathi, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 420, 457, 468, 471, 384, 386, 504, 506 IPC registered in connection with Sathi P.S. Case No. 167 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of admitted land dispute between the parties. The present FIR has been filed in retaliation to T.S. No. 68/2018 filed earlier on 28.08.2018 by the petitioners (Annexure-2). It is submitted that there is nothing to show money was delivered to the petitioners and as such the ingredients of offence under Section 384 and 386 are not made out against the petitioners. 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 CJM, West Champaran, Bettiah , in connection with Sathi P.S. Case No. 167 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 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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