

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24338 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

1. SUNIL KUMAR S/o Bhim Mallah @ Bhim Chaudhary R/o village- Dahala, P.S.- Durgawati, District- Kaimur at Bhabua
2. Munnu Kumar @ Manu Kumar S/o Ram Gahan Mallah R/o village- Dahala, P.S.- Durgawati, District- Kaimur at Bhabua
3. Rahul Kumar S/o Kameshwer Mallah R/o village- Dahala, P.S.- Durgawati, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 307,341,323, 34 IPC registered in connection with Durgawati P.S. Case No. 53/2019.

3. It is submitted that the petitioners have been falsely implicated and in any event it is submitted that the injuries are simple in nature. The petitioners claim clean antecedents.

4. Be that it may, in the event of petitioners arrest or surrender within four weeks hereof let the above named petitioners be released on provisional anticipatory 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, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 53/2019, 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 petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself 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 petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

5. That the provisional bail granted to the petitioners shall stand confirmed upon verification by the learned Court below that there is no grievous injury caused to the informant's side. In case the petitioners' claim fails upon verification, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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