

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26335 of 2019

Arising Out of PS. Case No.-294 Year-2018 Thana- PATORI District- Samastipur

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1. Rinki Kumari @ Rinki Devi aged about 37 years, Female, Wife of Bindeshwar Singh
 2. Bindeshwar Singh aged about 41 yrs, Male, Son of Ram Deo Singh
 3. Deokant Ray, aged about 59 years, Male, Son of Ram Prahlad Ray
 4. Kunal Ray @ Kunal kumar Ray aged about 22 years, Male, Son of Arjun Ray
- All residents of Village-Supaul (Sirdilpur), P.S.-Patory, District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dhananjai Kumar Singh, Advocate
For the Opposite Part : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 143 and 353 of the Indian Penal Code registered in connection with Patory P.S. Case No. 294 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of dispute for construction of road claimed by the ward members of ward nos. 5 and 6 to fall within their respective jurisdiction. It is submitted that no overt act of assault has been attributed to the petitioners. In any event, the road has since been constructed by the ward members of both wards as per the permission of the informant. Petitioner nos. 1, 2 and 3 are on bail in respect of the only other prior case in which they have been made accused while petitioner no. 4 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 bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Samastipur in connection with Patory P.S. Case No. 294 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) That petitioner no. 1 shall be well represented in court on each and every date during trial except as and when directed by the learned court to be physically present, and petitioner nos. 2, 3 and 4 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.

(iv) 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.

BT/-

(Vikash Jain, J)

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