

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23149 of 2019

Arising Out of PS. Case No.-103 Year-2015 Thana- KURTHA District- Jehanabad

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1. DHARMENDRA DAS Son of Late Naresh Das Resident of Village- Basantpur, P.S.- Kurtha (Manikpur O.P.), District- Arwal
 2. Krishna Das Son of Mahajar Das Resident of Village- Basantpur, P.S.- Kurtha, (Manikpur O.P.), District- Arwal
 3. Jitendra Das Son of Late Naresh Das Resident of Village- Basantpur, P.S.- Kurtha (Manikpur O.P.), District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 302/34 IPC registered in connection with Kurtha (Manikpur OP) P.S. Case No. 103 of 2015.

3. It is submitted that the petitioners have been falsely implicated and in any event after due investigation final form has been submitted by the police exonerating the petitioners. The FIR has been instituted in retaliation to Kurtha (Manikpur OP) P.S. Case No. 72/2015 instituted by the petitioner no.1 against the informant and other persons (Annexure-2). 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 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 CJM, Arwal, in connection with Kurtha



(Manikpur OP) P.S. Case No. 103 of 2015 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.
- v. That the provisional bail granted to the petitioners shall be confirmed upon verification by the learned Court below that final form has been submitted exonerating the petitioners. In case the petitioners' claim fail upon verification, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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