

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24118 of 2019**

Arising Out of PS. Case No.-178 Year-2017 Thana- DARAUNDA District-
Siwan

- =====
1. CHANDAN KUMAR, aged about 22 years, male, S/o Sitaram Prasad R/o village- Bagaura, P.S.- Daraunda, District- Siwan
 2. Chhabindra Kumar @ Chhabindra Sah, aged about 27 years, male, S/o Late Sukath Sah R/o village- Bagaura, P.S.- Daraunda, District- Siwan

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Bijay Prakash Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 18-07-2019 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, 324, 307, 34 of the Indian Penal Code registered in connection with Daraunda P.S. Case No. 178 of 2017.

3. It is submitted that the petitioners have been falsely implicated and in any event the accusations of assault with *dabia* on the neck of the informant by petitioner no. 1 is not supported by the injury report which shows lacerated injury which is simple in nature. All injuries are simple in nature save and except one sharp cutting injury on the leg of the informant which is however not specifically attributed to the petitioners, the accusations being general and omnibus against all the accused persons. 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 Additional Chief Judicial Magistrate-XI, Siwan in connection with Daraunda P.S. Case No. 178 of 2017, 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 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.

(iv) That 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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