

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23044 of 2019

Arising Out of PS. Case No.-67 Year-2018 Thana- BHARGAMA District- Araria

1. Md. Aflatoon, aged about 40 years (Male) Son of Sirajuddin
2. Sitara @ Karina, aged about 35 years (Female), Wife of Aflatoon
Both residents of Village - Virnagar, Ward No. 02, P.S.- Bhargama, District Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Arvind Kumar Sinha, Advocate
For the Opposite Party : Mr. Jitendra Kumar Singh, APP

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 apprehends their arrest for the offences alleged under Sections 341, 323, 325, 354(B), 307, 379 and 504/34 of the Indian Penal Code registered in connection with Bhargama P.S. Case No. 67 of 2018.

3. It is submitted that the petitioners, who are the husband and wife, have been falsely implicated only due to village politics. There is no accusation of whatsoever of assault by petitioner no. 2 and petitioner no. 1 is said to have assaulted the informant with sword but in any event, injuries are simple in nature. The allegation of disrobing the informant' wife is against co-accused Md. Hannam. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 67 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 remain physically present in court on each and every date during trial and petitioner no. 2 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 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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