

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23974 of 2019

Arising Out of PS. Case No.-316 Year-2018 Thana- JOKIHAT District- Araria

1. Akhlaque aged about 70 years (M) Son of Late Kokan
2. Bechan @ Baichan aged about 30 years (M) Son of Akhlaque
Both are residents of Village - Sherlangha, P.S.- Jokihat, District - Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 379, 354B, and 504/34 of the Indian Penal Code registered in connection with Jokihat P.S. Case No. 316 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute between the parties. The accusation of assault against the petitioners is general and omnibus in nature. In any event, injuries resulting from the assault alleged against the petitioners are simple in nature. 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 them 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 Jokihat P.S. Case No.



316 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 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.

(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.

(Vikash Jain, J)

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