

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28694 of 2019

Arising Out of PS. Case No.-170 Year-2018 Thana- SATHI District- West Champaran

1. Vijay Das aged about 28 years (M)
2. Sanjay Das aged about 26 years (M)
Both sons of Prem Chandra Das @ Premchand Das
3. Prem Chandra Das @ Premchand Das aged about 55 years (M) son of Late Chait Das
4. Bharat Das aged about 42 years (M) son of Late Chait Das
5. Akhilesh Das aged about 19 years (M) son of Bharat Das
All residents of village- Sathi Vriti Tola, P.S.- Sathi, District- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Umesh Chandra Verma, Advocate
For the Opposite Party	:	Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 448, 341, 323, 188, 354B, 379, 504 and 506/34 of the Indian Penal Code registered in connection with Sathi P.S. Case No. 170 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and in retaliation to the FIR in Sathi P.S. Case No. 163 of 2018 filed by the petitioners' side against the sons and daughters-in-law of the informant, the present FIR has been instituted against the petitioners. Petitioner nos. 1 and 2 are sons of petitioner no. 3 whereas petitioner nos. 4 and 5 are other relatives. Petitioners are accused in one other case which was lodged by the informant's daughter.



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, Bettiah, West Champaran in connection with Sathi P.S. Case No. 170 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure 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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