

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29333 of 2019**

Arising Out of PS. Case No.-6 Year-2019 Thana- BAIRIYA District- West
Champaran

- =====
1. HARENDRA PRASAD, aged about 45 years, male, Son of Rajbali Prasad Resident of Village - Tadwa Nandpur, Diti Ward No.3, P.S.- Bairiya, Dist.- West Champaran.
 2. Indu Devi aged about 40 years, female, Wife of Harendra Prasad Resident of Village - Tadwa Nandpur, Diti Ward No.3, P.S.- Bairiya, Dist.- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjeev Kumar Shrivastava, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-05-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 354, 379, 385, 504, 506/34 of the Indian Penal Code registered in connection with Bairiya P.S. Case No. 06 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. There is delay in institution of the F.I.R. on 03.01.2019 for the alleged occurrence of 24.12.2018. The accusation of assault is general and omnibus without any specific assault attributed to the petitioners. 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 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 06 of 2019, 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(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 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 petitioner no. 1 shall remain physically present in Court on each and every date, 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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