

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28341 of 2019

Arising Out of PS. Case No.-313 Year-2018 Thana- PATORI District- Samastipur

1. Sunil Rai aged about 45 years (male) Son of Raj Narain Rai
2. Anil Rai aged about 50 years (male) Son of Raj Narain Rai
3. Munim Rai aged about 35 years (male) Son of Raj Narain Rai
All residents of Village- Baghra Mohanpur, P.S.- Patori, District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Jitendra Narain Sinha, Advocate

For the Opposite Party : 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 147, 148, 307, 323, 324, 341, 379 and 504 of the Indian Penal Code registered in connection with Patori (Mohanpur OP) P.S. Case No. 313 of 2018.

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. The accusations of assault by the petitioner nos. 1 and 2 are general and omnibus in nature. The accusation of assault with Farsa on the head of the brother of the informant is not supported by the injury report which discloses the injuries caused by hard and blunt substance. In any event, the injuries 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 bonds of Rs.10,000/- (ten



thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 4th, Samastipur in connection with Patori (Mohanpur OP) P.S. Case No. 313 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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