

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28676 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- PARIHAR District- Sitamarhi

1. Rajendra Dhankar, aged about 35 years, Sex-Male, S/o Tunai Dhankar @ Tunai Dhankan R/o Village- Barahi, P.S.- Parihar, District- Sitamarhi.
2. Sunta Devi aged about 30 years, Sex-Female, wife of Rajendra Dhankar
3. Dukhiya Devi aged about 60 years Sex-Female, W/O Tunai Dhankar @ Tunai Dhankan
Resident of Village- Barahi, P.S.- Parihar, District- Sitamarhi.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Dinesh Jha, 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 341, 323, 325, 307, 379/34, 447 and 506/34 of the Indian Penal Code registered in connection with Parihar P.S. Case No. 09 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute. There is delay of three days in instituting the first information report on 18.01.2019 for the alleged occurrence of 15.01.2019. It is submitted that there is no accusation of assault whatsoever against petitioner nos. 2 and 3 who are ladies. The accusation of assault by iron rod on the son of the informant attributed to petitioner no. 1 is not supported by the injury report and 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 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, Sitamarhi in connection with Parihar P.S. Case No. 09 of 2019, 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 nos. 2 and 3 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.

(Vikash Jain, J)

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