

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29950 of 2019**

Arising Out of PS. Case No.-96 Year-2017 Thana- BHARGAMA District- Araria

1. Idris Mian @ Md. Idrish, aged 50 years (Male) Son of Rahim Mian
2. Istafa Mian @ Md. Istafa, aged 22 years (Male), Son of Idrish Mian
3. Aazam Mian @ Md. Aazam, aged about 21 years (Male) Son of Alimuddin Mian, All three are resident of village Manullahpatti, P.S. Bhargama
4. Aiybu Mian, aged 48 years (Male), Son of Muslim Mian Resident of Village- Khajuri, P.S.- Bhagrama,
5. Zakir Mian @ Zakir, 46 years (Male), Son of Muslim Resident of Village- Latraha, Bhutta Tola, P.S.- Raniganj, All are of District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                        |   |                                  |
|------------------------|---|----------------------------------|
| For the Petitioners    | : | Mr. Ramesh Kumar Singh, Advocate |
| For the Opposite Party | : | Mr. Bishweshwar Ram, APP         |

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      01-08-2019                      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, 427 and 504/34 of the Indian Penal Code registered in connection with Bhargama P.S. Case No. 96 of 2017.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. Both the parties are Gotias. The accusation of assault is general and omnibus in nature and no specific overt act has been alleged against the petitioners. The injuries sustained by the informant's side 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 Sri Ashish Ranjan, learned Judicial Magistrate, 1<sup>st</sup> Class, Araria in connection with Bhargama P.S. Case No. 96 of 2017, 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)**

BT/-

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