

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29576 of 2019**

Arising Out of PS. Case No.-56 Year-2019 Thana- BIDUPUR District- Vaishali

- 
1. RAM EKBAL RAI @ RAM DAYAL RAI Son of Late Jit Lal Yadav Resident of Village - Ward No. 7, Pakari, P.S.- Bidupur, Distt - Vaishali.
  2. Mithlesh Rai Son of Mahendra Ray Resident of Village - Ward No. 7, Pakari, P.S.- Bidupur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Rajeev Ranjan Sinha

For the Opposite Party/s : Mr.Md. Mushtaque Alam

---

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

3      26-07-2019                      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, 149, 323, 337, 379, 504, 324, 324 and subsequently added Section 307 of the Indian Penal Code registered in connection with Bidupur PS Case No. 56/2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. It is submitted that in any event the injuries are simple in nature as evident from a perusal of the order of the learned Sessions Judge. The petitioner no. 1 is an aged person of about 72 years. The petitioners claim clean antecedents.

4. Learned APP appears and submits on the basis of case diary that opinion has been reserved in respect of the injury sustained by the informant and there is direct accusation against petitioner no. 2 of having assaulted with iron rod on the informant's head.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner no.1 be



released on bail and petitioner no. 2 on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM XIV, Vaishali at Hajipur, in connection with Bidupur PS Case No. 56/2019, 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 shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate 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. 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.

5. The provisional bail granted to the petitioner no. 2 shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury has been caused to the informant. In case any grievous injury is found, his bail bond shall stand automatically cancelled.

**(Vikash Jain, J)**

Chandran/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

