

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67022 of 2018

Arising Out of PS. Case No.-473 Year-2018 Thana- NAWADA
District- Nawada

- =====
1. Bishun Chauhan Son of Late Narayan Chauhan
 2. Chaniya Devi Wife of Bishun Chauhan
 3. Hari Chauhan Son of Bishun Chauhan All Resident of Village-
Mangura,P.S. Town(Kadirganj O.P.),Distt.-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Nand Kishore Pd. APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioner apprehend their arrest for the offences alleged under Sections 447, 341,323, 354, 307, 379, 504/34 IPC registered in connection with Town (Kadirganj) P.S. Case No. 473 of 2018.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties in the backdrop of a dispute relating to partition of property. The thrust of accusation of assault upon the informant is on co-accused Ramotar Chauhan. The injuries resulting from the assault attributed to the present petitioners are of simple in nature. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances, as such, 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, Nawada, in connection with Town (Kadirganj) P.S. Case No. 473 of 2018, 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 petitioner nos. 1 and 3 shall remain physically present and petitioner no. 2 shall be well represented 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.

(Vikash Jain, J)

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