

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32173 of 2019

Arising Out of PS. Case No.-185 Year-2018 Thana- AMAUR District- Purnia

1. Md. Amin @ Amin aged about 45 years (Male) Son of Late Siddique
2. Bibi Akila aged about 30 years (Female) W/O Md. Amin
3. Md. Mobarak @ Mobarak aged about 19 years (Male) S/O Md. Amin
All are residents of Village- Gerua, P.S.- Amour, District- Purnea.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Alok Kumar Singh, Advocate
For the Opposite Party : Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-05-2019 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, 447, 323, 324, 427, 379, 307, 504 and 506/34 of the Indian Penal Code registered in connection with Amour P.S. Case No. 185 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and the informant and petitioners are *Gotias*. The accusations of assault against the petitioners are general and omnibus in nature. The injuries sustained by the informant 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, Purnea in connection with Amour P.S. Case No.



185 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 petitioner nos. 1 and 3 shall remain physically present in court on each and every date during trial; and petitioner no. 2 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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