

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31858 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- SIKTA District- West Champaran

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1. Ramlakhan Das (aged about 60 years (M) son of Tuka Das
 2. Prawesh Mukhiya @ Prawesh Mahto (aged about 45 years (M) son of Late Laxaman Mahto
 3. Brijesh Mahto (aged about 42 years (M) son of Shambhu Mahto
 4. Sunil Das (aged about 25 years (M) son of Ramlakhan Das
 5. Gopal Patel (aged about 66 years (M) son of Late Jangali Patel
- All are residents of village- Surajpur, P.S.- Sikta, District- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs. Rashmi Jha, Advocate
For the Opposite Party : 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 147, 148, 149, 341, 323, 379, 504 and 506 of the Indian Penal Code registered in connection with Sikta P.S. Case No. 03 of 2019.

3. It is submitted that the petitioners have been falsely implicated as the petitioner no. 1 has earlier instituted an FIR in Sikta P.S. Case No. 02 of 2019 against the informant and others and in retaliation thereto, the present FIR has been instituted. It is submitted that the motor-cycle bearing registration no. BR-22-AA 8301 belongs to petitioner no. 3 and as such, the same is not a stolen one. Besides, the registration number of the seized motor-cycle does not tally with either of the registration numbers of the two motor-cycles described in the fardbeyan. 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 learned Sub-Divisional Judicial Magistrate, West Champaran at Bettiah in connection with Sikta P.S. Case No. 03 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 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)

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