

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75865 of 2018

Arising Out of PS. Case No.-229 Year-2018 Thana- JOGAPATTI District- West Champaran

1. Serajul Mian @ Serajul Ansari Son of Sardar Mian
2. Wakil Mian Son of Sahebodin Mian Both are Resident of Village-Jaralpur, Police Station Jogapatti, Distt.-West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 14-03-2019 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, 341, 323, 324, 307, 354(B), 504, 506, 379 IPC registered in connection with Jogapatti P.S. Case No. 229 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. Accusation of assault by the petitioner no. 1 with iron rod on the back and waist of the informant and by petitioner no. 2 with farsa on the informant's head is not corroborated with the injury report which discloses lacerated wound on the right parietal region (Annexure-2). 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Bettiah, West Champaran, in connection with Jogapatti P.S. Case No. 229 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 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.

(Vikash Jain, J)

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