

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30854 of 2019**

Arising Out of PS. Case No.-86 Year-2019 Thana- HUSSAINGANJ District-
Siwan

- =====
1. REHAN ALI, aged about 39 years, male, Son of Sanjar Ali Resident of Village- Hassanpura, P.S.- Hussainganj (M.H. Nagar), District- Siwan.
 2. Jon Ali, aged about 30 years, male, Son of Sanjar Ali Resident of Village- Hassanpura, P.S.- Hussainganj (M.H. Nagar), District- Siwan.
 3. Aon Ali, aged about 42 years male, Son of Sanjar Ali Resident of Village- Hassanpura, P.S.- Hussainganj (M.H. Nagar), District- Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Prabhakar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 14-05-2019 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, 323, 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Hussainganj (M.H. Nagar) P.S. Case No. 86 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. The accusation of pointing out a gun which however misfired is upon petitioner no. 2 while the accusation of firing is general and omnibus against the petitioner nos. 1 and 3. There is no injury whatsoever caused to the informant's side. The accusation of snatching Rs. 6,500/- is mere embellishment. 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 Chief Judicial Magistrate, Siwan in connection with Hussainganj (M.H. Nagar) P.S. Case No. 86 of 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) 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.

(Vikash Jain, J)

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