

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31446 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- TATARPUR District- Bhagalpur

1. BANDANA KUMARI @ BANDANA ROY Wife of Ranjeet Kumar Roy @ Bhartendu Roy Resident of Mohalla-Mandroja, Khatu Shyam Mandir Gali, P.S-Tatarpur, District-Bhagalpur.
2. Ranjeet Kumar Roy @ Bhartendu Roy Son of Late Rabindra Kabindra Roy Resident of Mohalla-Mandroja, Khatu Shyam Mandir Gali, P.S-Tatarpur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 06-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 341, 379, 504, 506/34 IPC registered in connection with Tatarpur P.S. Case No. 18/2019 corresponding to G.R. No. 422/2019.

3. It is submitted that the petitioners have been falsely implicated in tenancy dispute with the informant who is the tenant of the petitioners. It is submitted that there is case and counter case between the parties and as a matter of fact the informant gave a hammer blow on the face of the petitioner no. 1. The petitioner no. 2 has also filed a written complaint before the D.I.G. of Police, Bhagalpur in connection with arrears of rent owing from the informant. The accusation of theft are mere embellishment to make the case non-bailable. 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 ACJM VII, Bhagalpur in connection with Tatarpur P.S. Case No. 18/2019, corresponding to G.R. No. 422/2019, 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 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 no. 1 shall be well represented and petitioner no. 2 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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