

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31991 of 2019**

Arising Out of PS. Case No.-651 Year-2018 Thana- KHAGARIA District-
Khagaria

- =====
1. RATAN DEVI Wife of Bindeshwari Tanti Resident of Village - Sanhauli, P.S.- Chitragupta Nagar, District - Khagaria.
 2. Sharwan Tanti Son of Late Bindeshwari Tanti Resident of Village - Sanhauli, P.S.- Chitragupta Nagar, District - Khagaria.
 3. Pawan Tanti Son of Late Bindeshwari Tanti Resident of Village - Sanhauli, P.S.- Chitragupta Nagar, District - Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Binod Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

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

2. The petitioners apprehend their arrest for the offences alleged under Sections 302/34 of the Indian Penal Code registered in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 651 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of quarrel between the parties and in any event the main assailant is said to be the co-accused Bhajan Tanti who repeatedly assaulted the informant's brother on the head with handle of a hand-pump causing his death. The accusation of assault against the petitioners is general and



omnibus and injuries sustained by the other persons on the informant's side are simple in nature. The petitioners claim clean antecedents.

4. Learned APP appears and has been heard. He has not pointed out any objective material in the case against the petitioners.

5. 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, Khagaria in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 651 of 2018, G.R. No. 2627 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 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 petitioner no. 1 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 petitioner nos. 2 and 3 shall remain physically present in Court on each and every date 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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