

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37316 of 2019

Arising Out of PS. Case No.-710 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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1. Pappu Kumar aged about 45 years (Male) Son of Rameshwar Prasad
 2. Sikandar Yadav aged about 45 years (Male) Son of Late Jamu Rai
 3. Akindar Yadav aged about 40 years (Male) Son of Jamu Rai
 4. Anand Rai aged about 25 years (Male) Son of Moti Rai
 5. Sunil Thakuar aged about 30 years (Male) Son of Sankar Thakuar
All resident of Mohalla-Miscout, P.S.-Motihari Town, District-East
Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Dhannjay Kumar No 2, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-06-2019 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, 308, 379, 387, 120(B) and 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Motihari Town P.S. Case No. 710 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of Title Suit No. 517 of 2015 which is going on between the parties. It is submitted that the FIR is against as many as 5 named and 10 unknown persons The accusations are general and omnibus in nature without any specific accusation attributed to any of the petitioners who 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 them 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 710 of 2018, 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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