

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40542 of 2019**

Arising Out of PS. Case No.-274 Year-2018 Thana- PATORI District-
Samastipur

- =====
1. ROHIT KUMAR Son of Dilip Kumar Resident of Village - Dumari, P.S.-
Shahpur Patory, Dist.- Samastipur.
 2. Dilip Ray Son of Ram Chandra Ray Resident of Village - Dumari, P.S.-
Shahpur Patory, Dist.- Samastipur.
 3. Laxman Ray Son of Vishwanath Ray Resident of Village - Dumari, P.S.-
Shahpur Patory, Dist.- Samastipur.
 4. Upendra Ray Son of Vishwanath Ray Resident of Village - Dumari, P.S.-
Shahpur Patory, Dist.- Samastipur.
 5. Sanjay Ray Son of Narayan Ray Resident of Village - Dumari, P.S.-
Shahpur Patory, Dist.- Samastipur.
 6. Narayan Ray Son of Tena Ray Resident of Village - Dumari, P.S.- Shahpur
Patory, Dist.- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Kumar, Advocate.

For the Opposite Party: Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 02-09-2019

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, 324, 307/34 of the
Indian Penal Code registered in connection with Patory
(Mohanpur O.P.) P.S. Case No. 274 of 2018.

3. It is submitted that the petitioners have been falsely
implicated in the backdrop of a dispute as the parties are
neighbours and there is case and counter case between the
parties. It is submitted that the injuries attributed to the assault



by the petitioners with *farsa, lathi, and stick* to the informant caused by hard and blunt substance are simple in nature. 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 Additional Chief Judicial Magistrate-IV, Samastipur in connection with Patory (Mohanpur O.P.) P.S. Case No. 274 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 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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