

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37344 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- BIDUPUR District- Vaishali

1. Ram Pravesh Bhagat aged about 51 years, Gender-Male Son of Rajendra Bhagat
2. Basant Bhagat aged about 33 years, Gender-Male, son of Late Harinandan Bhagat
Both resident of village- Daudnagar, P.S.- Bidupur, District - Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sunil Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-06-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 379, 448, 504 and 506/34 of the Indian Penal Code registered in connection with Bidupur P.S. Case No. 31 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. There is case and counter case between the parties. It is submitted that the injury reports do not support the accusation of assault by the petitioner no. 1 on the head of the informant with *farsa* and by petitioner no. 2 on the head of the informant's son with iron rod. It is stated that opinion with regard to the injuries has been reserved. 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 provisional anticipatory 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, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 31 of 2019, 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.

5. The provisional bail granted to the petitioners shall stand confirmed upon verification by the learned court below that the injuries sustained by the informant and others are not grievous in nature, failing which their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

BT/-

U		T	
---	--	---	--

