

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38393 of 2019**

Arising Out of PS. Case No.-48 Year-2019 Thana- TARABARI District-
Araria

- =====
1. YUSUF @ MD. YUSUF Son of Ghotan Resident of Village - Baturbari, Ward No.12, P.S.- Tarabari, Dist.- Araria.
 2. Khurshid @ Md. Khurshid Son of Md. Yusuf Resident of Village - Baturbari, Ward No.12, P.S.- Tarabari, Dist.- Araria.
 3. Murshid @ Murshid Ahmad S/O Md. Yusuf Resident of Village - Baturbari, Ward No.12, P.S.- Tarabari, Dist.- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 385, 379, 504, and 506/34 of the Indian Penal Code registered in connection with Tarabari P.S. Case No. 48 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the accusations are merely ornamental in nature. There is case and counter case between the parties. The informant's side habitually files cases of such nature against the petitioners as evident from three prior cases lodged by the informant's side in which the petitioners are made accused.

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 Sub-Divisional Judicial Magistrate, Araria in connection with Tarabari P.S. Case No. 48 of 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 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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