

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38416 of 2019**

Arising Out of PS. Case No.-13 Year-2019 Thana- ISMAILPUR District-
Bhagalpur

- =====
1. AJAY MANDAL Son of Late Chano Mandal Resident of Village- Binoba, P.S.- Ismailpur, District- Bhagalpur.
 2. Sonu Mandal Son of Late Chano Mandal Resident of Village- Binoba, P.S.- Ismailpur, District- Bhagalpur.
 3. Arun Mandal Son of Dasrath Mandal Resident of Village- Binoba, P.S.- Ismailpur, District- Bhagalpur.
 4. Rajgir Mandal Son of Etwari Mandal Resident of Village- Pannuchak, P.S.- Ghogha, District- Bhagalpur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjan Kumar Jha, 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 436, 427, 120(B), 506/34 of the Indian Penal Code registered in connection with Ismailpur P.S. Case No. 13 of 2019.

3. It is submitted that the petitioners have been falsely implicated in retaliation to Ismailpur P.S. Case No. 12 of 2019. There is delay in instituting the F.I.R. on 11.03.2019 for the alleged occurrence of 09.03.2019. There is also past enmity between the parties as evident from the F.I.R. itself and the informant's husband is in jail custody on the accusation of murder of the father of petitioner nos. 1 and 2. The informant is



the sister-in-law of petitioner nos. 1 and 2. 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 Sub-Divisional Judicial Magistrate, Naugachia, Bhagalpur in connection with Ismailpur P.S. Case No. 13 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)

Ibrar/BT

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