

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38211 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- BARAULI District- Gopalganj

1. Md. Jalil Miyan, Sex Male, aged about 60 years
2. Md. Jamil Miyan @ Md. Jimal Miyan, Sex Male, aged about 55 years
Both are Sons of Late Samsuddin Miyan, resident of Village Mohammadpur Pakwa Inar, P.S.-Barauli (Madhopur O.P.), District - Gopalganj

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Javed Aslam, Advocate
For the Opposite Party : APP

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 341, 323, 307, 379, 354, 504 and 34 of the Indian Penal Code registered in connection with Barauli (Madhopur O.P.) P.S. Case No. 71 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. The accusation of assault is general and omnibus in nature. The injury sustained by the brother of the informant is 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Gopalganj in connection with Barauli (Madhopur O.P.) P.S. Case No.



71 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.

(Vikash Jain, J)

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