

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38974 of 2019

Arising Out of PS. Case No.-349 Year-2019 Thana- ARARIA District- Araria

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1. Md. Jalal, Male, Aged about 45 Years, Son of Late Tato
 2. Akhtar Male, Aged about 40 Years, Son of Late Tato
 3. Yunus Male, Aged about 42 Years, Son of Late Badri
 4. Ameen Male, Aged about 32 Years, Son of Ishaque
 5. Rooket @ Md. Rooket Male, Aged about 28 Years, Son of Ameen
 6. Hashim @ Hasnain Male, Aged about 50 Years, Son of Ameen
 7. Shama @ Abushama, Female, Aged about 38 Years, Daughter of Ameen
 8. Husni, Female, Aged about 32 Years, Wife of Shakeel
 9. Ummati, Female Aged about 28 Years, Wife of Akhtar
- Petitioners
- Versus
- The State of Bihar
- Opposite Party
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Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-07-2019 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, 379, 147, 148, 354(B), 427, 506 and 504 of the Indian Penal Code registered in connection with Araria Bairgacha P.S. Case No. 349 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. The present FIR has been lodged in retaliation of FIR in Araria P.S Case No. 292 of 2019 lodged by petitioner no. 9 against the informant and others. 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 Chief Judicial Magistrate, Araria in connection with Araria Baigacha P.S. Case No. 349 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 petitioner nos. 1 to 6 shall remain physically present in court on each and every date during trial and petitioner nos. 7, 8 and 9 shall be well represented in court on each and every date during trial except as and when directed by the learned court to be physically present, 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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