

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37468 of 2019**

Arising Out of PS. Case No.-177 Year-2019 Thana- LAKHISARAI District-
Lakhisarai

- =====
1. MAHENDRA RAJAK, aged about 55 years, male, Son of Late Baiju Rajak
Resident of Village - Hasanpur, P.S. and District - Lakhisarai
 2. Kaushal Rajak, aged about 30 years, male, Son of Mahendra Rajak
Resident of Village - Hasanpur, P.S. and District - Lakhisarai
 3. Pawan Rajak, aged about 25 years, male, Son of Mahendra Rajak
Resident of Village - Hasanpur, P.S. and District - Lakhisarai
 4. Ramesh Rajak, aged about 40 years, male, Son of Late Kamta Rajak
Resident of Village - Hasanpur, P.S. and District - Lakhisarai

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Bishweshwar Ram, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-06-2019 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, 341, 307/34 of the Indian Penal Code registered in connection with Lakhisarai (Kabaiya) P.S. Case No. 177 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of past dispute in retaliation to Lakhisarai (Kabaiya) P.S. Case No. 434 of 2018 having been filed by the petitioners' side. The accusations are general and omnibus in nature and no specific overt act of assault has been attributed to the petitioners who 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 bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 177 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 shall be a close relative of the petitioners.

(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.

5. The provisional bail granted to the petitioners shall be confirmed upon verification by the learned Court below that none of the injuries sustained by the informant's side is grievous in nature, failing which their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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