

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38579 of 2019

Arising Out of PS. Case No.-114 Year-2019 Thana- MANIHARI District- Katihar

1. Maidas Basuki, aged about 55 years (Gender-M)
2. Jitan Basuki aged about 50 years (Gender-M) Both sons of Jina Basuki
3. Jadu Basuki, aged about 50 years (Gender-M) Son of Sufal Basuki
4. Bhairab Basuki aged about 55 years (Gender-M) Son of Jaggu Basuki
5. Barku Hansada aged about 35 years (Gender-M) Son of Lachhu Hansada
All residents of Village-Belhara, P.S-Manihari, District-Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Bimal Kumar, 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 147, 341, 323, 354, 307, 504 and 506/34 of the Indian Penal Code and Sections 3/4 of the Dain Act registered in connection with Manihari P.S. Case No. 114 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. It is submitted that as a matter of fact, the present FIR has been lodged in retaliation of Manihari P.S. Case No. 115 of 2019 filed by Bali Hembram against the informant and others. A proceeding under Section 48 (E) of the Bihar Tenancy Act is pending with respect to the subject land. The case has been filed against the husband of the present informant and her son along with other accused persons. It is submitted that no injury has been caused to any person. The petitioner claims 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, Katihar in connection with Manihari P.S. Case No. 114 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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