

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38725 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- DAUDNAGAR District- Aurangabad

1. MUNNA KUMAR Son of Mangal Singh Resident of Village- Belathi, P.S.- Daudnagar, District- Aurangabad.
2. Sunil Kumar Son of Mangal Singh Resident of Village- Belathi, P.S.- Daudnagar, District- Aurangabad.
3. Mangal Singh Son of Late Subedar Singh Resident of Village- Belathi, P.S.- Daudnagar, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Anand Kishore Choudhary

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, 307, 504/34 IPC registered in connection with Daudnagar P.S. Case No. 116 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 is general and omnibus in nature against the four accused persons but there is only one injury sustained by the informant.

4. Learned APP assisted by learned counsel for the informant appearing *suo motu* opposes the anticipatory bail petition.

5. Be that it may, in the event of petitioners arrest or surrender within four weeks hereof let the above named petitioners be released on provisional anticipatory bail on



furnishing bail bond of Rs.10,000/- [ten thousand] each with two sureties of like amount each to the satisfaction of learned SDJM, Daudnagar (Aurangabad) in connection with Daudnagar P.S. Case No. 116 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 co-operate 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) 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.

6. The provisional bail granted to the petitioners shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bonds, that no grievous injury has been sustained by the informant. In case the petitioners' claim fails on verification, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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