

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40407 of 2019**

Arising Out of PS. Case No.-27 Year-2019 Thana- MIRGANJ District- Purnia

1. MD. SAMSUL HAQUE @ MD. SAMSUL Son of Md. Suleman Resident of Village - Sonapur, Amari Kokrawan, P.S.- Dhamdaha, District - Purnea
2. Md. Parwej Alam @ Parwej Alam @ Sonu Son of Md. Samsul Haque Resident of Village - Sonapur, Amari Kokrawan, P.S.- Dhamdaha, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                              |
|--------------------------|---|----------------------------------------------|
| For the Petitioner/s     | : | Mr. N.K.Agrawal, Sr. Adv<br>Dr. Bidhu Ranjan |
| For the Opposite Party/s | : | Mr.Akhileshwar Dayal                         |

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      28-08-2019                      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, 342, 323, 308, 379, 385/34 of the Indian Penal Code registered in connection with Meerganj P.S. Case No. 27 of 2019.

3. It is submitted that the petitioners have been falsely implicated on the accusation of masterminding an attack by 10-12 persons on the informant and demanding rangdari while he was travelling in a bus and of snatching Rs. 12,000/- received by the informant from a teacher Mukesh Kumar Paswan. It is submitted that the petitioners were admittedly not at the spot, much less assaulted anyone. It is submitted that in any event the injuries on the informant are simple in nature. The petitioners claim clean antecedents.

4., Learned APP submits on the basis of case diary that the informant had received as many as seven injuries. However he has not pointed out any objective material in the case diary against the petitioners.



5. 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM I, Purnea, in connection with Meerganj P.S. Case No. 27 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.

**(Vikash Jain, J)**

Chandran/-

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