

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53446 of 2018

Arising Out of PS. Case No.-246 Year-2017 Thana- SAHARSA COMPLAINT
CASE District- Saharsa

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1. Buchia Khatoon @ Anwari W/o Md. Akwal,
 2. Isharat Khatoon W/o Md. Azazul @ Azad,
 3. Md. Azazul @ Azad @ Md. Azad S/o Md. Nawazi,
 4. Md. Nawazi @ Md. Nawazi Alam @ Md. Navaji S/o Late Md. Nuro,
 5. Sanno Khatoon W/o Md. Fudo,
 6. Kuresha Khatoon W/o Md. Parwez, All R/o Vill.- Simari, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioners

Versus

1. State of Bihar
2. Budhani Khatoon W/o Suglu , R/o Vill.- Simari, Ward No. 13, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Madhav Jha, Advocate.
For the State : APP
For the Complainant : Mr. Amarnath Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-02-2019 Heard learned counsel for the petitioners, learned APP for the State as well as learned counsel for the Complainant.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 323, 379, 380, 354 of the Indian Penal Code registered in connection with Complaint Case Case No. 246 of 2017.

3. It is submitted that the petitioners have been falsely implicated and the accusations have been made in the background of admitted land dispute and Title Suit No. 371 of 2016 is pending between the parties who are all relatives of the complainant. The petitioners claim clean antecedent.

4. Learned counsel for the complainant appears and has been heard.



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 Additional Chief Judicial Magistrate-III, Saharsa in connection with Complaint Case No. 246 of 2017, 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(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 petitioner nos. 1, 2, 5, 6 shall be well represented and petitioner nos. 3 and 4 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)

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