

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41861 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- SANGRAMPUR District- East
Champaran

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1. Ismile Mian, aged about 55 Years gender male Son of Gadar Mian
 2. Johra Khatoon aged about 45 years gender female, Wife of Mahasan Mian
 3. Rukhsana Khatoon aged about 23 years gender female, Daughter of Mahasan Mian
- All are resident of Village-Shyampur, P.S.-Sangrampur, District-East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Vibhakar Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-07-2019 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, 354, 379 and 504/34 of the Indian Penal Code registered in connection with Sangrampur P.S. Case No. 29 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of family dispute and the accusation that the petitioner no. 1 committed the offence under Section 354 of the IPC against the informant's daughter is highly improbable and doubtful considering that the petitioner no. 1 is the father-in-law of the informant. The accusations of snatching gold chain etc. and cash are mere embellishment. Petitioner nos. 2 and 3 are ladies and Gotini of the informant. The petitioners 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 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, East Champaran, Motihari in connection with Sangrampur P.S. Case No. 29 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 petitioner no. 1 shall remain physically present in court on each and every date during trial and petitioner nos. 2 and 3 shall be well represented in court on each and every date during trial except as and when directed by learned court to be physically present 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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