

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42122 of 2019**

Arising Out of PS. Case No.-273 Year-2018 Thana- DIGHWARA District-
Saran

- =====
1. MOSIM MIYAN @ MOSIM ANSARI, aged about 28 years, male, Son of Shahban Miyan Resident of Village - Manupur, P.S. - Dighwara, District - Saran.
 2. Mobin Ansari, aged about 30 years, male, Son of Shahban Miyan Resident of Village - Manupur, P.S. - Dighwara, District - Saran.
 3. Osim Ansari, aged about 26 years, male, Son of Shahban Miyan Resident of Village - Manupur, P.S. - Dighwara, District - Saran.

... .. Petitiones

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Harish Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-07-2019 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, 504/34 of the Indian Penal Code registered in connection with Dignwara P.S. Case No. 273 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute over uprooting of pillar on the land of the informant. It is submitted that the accusation under Section 354 IPC are not made out against the petitioner nos. 2 and 3 and such accusation has been made against the petitioner no. 1 because of admitted land dispute and the parties are neighbours. 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri Rakesh Mani Tiwari, learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Dighwara P.S. Case No. 273 of 2018. 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 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)

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