

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41686 of 2019**

Arising Out of PS. Case No.-211 Year-2018 Thana- RAJEPUR District- East
Champaran

- =====
1. SHASHI KUMAR @ SAHSHI RANJAN KUMAR Son of Bijali Bhagat Resident of Village- Bara Bishunpur, P.S.- Rajepur, District- East Champaran, Motihari.
 2. Bijali Bhagat Son of Late Sukan Bhagat Resident of Village- Bara Bishunpur, P.S.- Rajepur, District- East Champaran, Motihari.
 3. Arun Kumar Son of Surendra Bhagat Resident of Village- Bara Bishunpur, P.S.- Rajepur, District- East Champaran, Motihari.
 4. Tetari Devi Wife of Bijali Bhagat Resident of Village- Bara Bishunpur, P.S.- Rajepur, District- East Champaran, Motihari.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjeet Kumar, Advocate.
For the Opposite Party: Mr. Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 19-09-2019 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, 447, 323, 324, 325, 379, 504, 506/34 of the Indian Penal Code and Section 34 of the Dowry Prohibition Act registered in connection with Rajepur P.S. Case No. 211 of 2018, G.R. Case No. 8520 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute between the parties who are neighbours. In any event there is no material to show that the injuries from the informant's side are grievous. The petitioners claim clean antecedents.

4. Learned APP appears and has been heard. The injury reports contained in paragraph-35 of the case diary discloses that the injuries are simple in nature.

5. Be that as it may, in the event of the petitioner



nos. 1, 2, and 3 arrest or surrender before the court below within six weeks from the date of communication of this order; let them 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Rajepur P.S. Case No. 211 of 2018, G.R. Case No. 8520 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 shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself 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 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

6. The provisional anticipatory bail granted to the petitioner no. 4 (Tetari Devi) by order dated 08.07.2019 pending in the Court of Chief Judicial Magistrate, East Champaran, Motihari in connection with Rajepur P.S. Case No. 211 of 2018, G.R. Case No. 8520 of 2018 is hereby confirmed.

(Vikash Jain, J)

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