

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41857 of 2019

Arising Out of PS. Case No.-400 Year-2018 Thana- SAHARSA District- Saharsa

1. Raj Kumar Sharma @ Raj Kumar (M) aged about 21 years, Son of Ramswarth Sharma
2. Santosh Sharma @ Santosh Kumar (M) aged about 30 years, Son of Late Shivjee Sharma
Both resident of Village- Kahra, Ward No. 24, P.S.- Saharsa Sadar, District- Saharsa.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Madhav Jha, 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 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code registered in connection with Saharsa Sadar P.S. Case No. 400 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the FIR is against as many as 8 named accused persons and 30 unknown persons. The accusation of assault against the petitioners is general and omnibus in nature. The injury is simple in nature as evident from the order of the learned Sessions Judge, Saharsa dated 19.03.2019 passed in A.B.A. No. 149 of 2019. 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, Saharsa in connection with Saharsa Sadar P.S. Case No. 400 of 2018, 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 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.

(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)

BT/-

U		T	
---	--	---	--

