

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41774 of 2019**

Arising Out of PS. Case No.-57 Year-2019 Thana- JAMOBABAZAR District-
Siwan

- =====
1. MOHAMMAD GUDDU @ MAHAMAD GUDDU Son of Allauddin Resident of Village- Brahmpur, P.S.- Jamo Bazar, District- Siwan.
 2. Jalaluddin Son of Allauddin Resident of Village- Brahmpur, P.S.- Jamo Bazar, District- Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate.
For the Opposite Party: Mr. Pancha Nand Pandit, 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 447, 341, 323, 324, 307, 354, 504, 506/34 of the Indian Penal Code registered in connection with Jamo Bazar P.S. Case No. 57 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and the parties are *gotiya*. The petitioner no. 1 is said to have assaulted the informant with *sword* while the accusation of assault against the petitioner no. 2 is general and omnibus in nature. There is no injury report to corroborate the accusation of assault as evident from the order of the learned Sessions Judge.

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 learned Additional Chief Judicial Magistrate-XIII, Siwan in connection with Jamo Bazar P.S. Case No. 57 of 2019, 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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