

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44774 of 2019

Arising Out of PS. Case No.-88 Year-2019 Thana- CHIRAIYA District- East Champaran

1. KAMESHWAR RAI Son of Mangal Rai Resident of Village - Dih Mahuahi, P.S.- Chiraiya, District- East Champaran
2. Manager Rai Son of Mangal Rai Resident of Village - Dih Mahuahi, P.S.- Chiraiya, District- East Champaran
3. Lalbabu Rai Son of Mangal Rai Resident of Village - Dih Mahuahi, P.S.- Chiraiya, District- East Champaran
4. Jainand Rai @ Jaya Nand Rai Son of Mangal Rai Resident of Village - Dih Mahuahi, P.S.- Chiraiya, District- East Champaran
5. Parvati Devi Wife of Mangal Rai Resident of Village - Dih Mahuahi, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-07-2019 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, 324, 354, 379, 504, 506/34 IPC registered in connection with Chiraiya P.S. Case No. 88 of 2019.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties. The accusations are general and omnibus in nature. There is delay in institution of the FIR on 02.03.2019 for the alleged occurrence of 24.02.2019. Other non-bailable Sections are super addition. 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 learned ACJM, Sikrahana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 88 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 shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate 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. The petitioner nos. 1 to 4 shall remain physically present and petitioner no. 5 shall be well represented 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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