

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44771 of 2019

Arising Out of PS. Case No.-140 Year-2017 Thana- KASBA District- Purnia

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1. MANNAN @ ABDUL MANNAN Son of Nasimuddin @ Md. Nasim Resident of Village- Lakhna, P.S.- Kasba, District- Purnea.
 2. Subhan @ Abdus Subhan Son of Haji Nasim @ Nasimuddin Resident of Village- Lakhna, P.S.- Kasba, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nadimul Hasan

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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 147, 148, 149, 323, 332, 353, 379, 307, 504 and 506 IPC registered in connection with Kasba P.S. Case No. 140 of 2017.

3. It is submitted that the petitioners have been falsely implicated and the FIR is against as many as 38 named and 500-600 unknown persons. The petitioners merely happened to be in the vicinity and the accusations are general and omnibus in nature without any specific overt act attributed to the petitioners. The petitioner no.1 claims clean antecedents whereas petitioner no. 2 is accused in two prior cases of different nature, in which he is on bail.

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 CJM, Purnea in connection with Kasba P.S. Case No. 140 of



2017, 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 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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