

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63975 of 2018

Arising Out of PS. Case No.-30 Year-2018 Thana- HASANPUR District- Samastipur

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1. Shankar Sah, Son of Hari Narayan Sah,
 2. Umesh Sah, Son of Late Phulchandar Sah,
 3. Parmod Sah, Son of Hari Narayan Sah,
- All are resident of Village- Nakuni, P.S.- Hasanpur, District- Samastipur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ranjit Kumar Yadav, Advocate
For the State	:	Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 14-02-2019 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, 307, 354 and 324 of the Indian Penal Code registered in connection with Hasanpur P.S. Case No. 30 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the accusation of assault upon the lady member of the informant's side by the petitioner no. 1 with *Tengari* (sharp cutting weapon) is not corroborated as the injuries caused by hard and blunt substance are simple in nature. There is no accusation of assault whatsoever attributed to the petitioner no. 2. Petitioner no. 3 is said to have assaulted Manoj Sah with *Kudal* (spade) but the injury is simple in nature. 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 Additional Chief Judicial Magistrate, Rosera (Samastipur) in connection with Hasanpur P.S. Case No. 30 of 2018, subject to the conditions as laid down under Section 438 (2) 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.

BT/Chandran

(Vikash Jain, J)

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