

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67444 of 2018

Arising Out of PS. Case No.-297 Year-2018 Thana- GAYA MUFASIL District- Gaya

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1. Birendra Malakar S/o Lakhan Malakar,
 2. Sunil Malakar, S/o Dinesh Malakar,
 3. Harendra Malakar, S/o Nakul Malakar,
 4. Ravi Malakar, S/o Awadh Kishore Malakar,
 5. Ajit Malakar, S/o Ram Balak Malakar @ Chamaru,
- All resident of Village- Bhadeja, P.S.- Muffasil, District- Gaya.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Vinod Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 19-02-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 452, 385, 379, 380 and 34 of the Indian Penal Code registered in connection with Mufassil P.S. Case No. 297 of 2018.

3. It is submitted that the petitioners have been falsely implicated in connection with demand of Rs.1000/-to take liquor and causing injury to the informant upon refusal to pay. In any event harmonious relation has been restored between the parties subsequently as evident from the petition filed before the learned court below.

4. Learned APP refers to paragraph 31 of the case diary that injuries sustained by the injured are simple in nature.

5. 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, Gaya in connection with Mufassil P.S. Case No. 297 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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