

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70345 of 2018

Arising Out of PS. Case No.-249 Year-2017 Thana- BHAWANIPUR District- Purnia

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1. Upendra Sharma S/o Late Rashik Sharma
 2. Wokil Sharma @ Wakil Sharma
 3. Sudhir Sharma
 4. Dhokali Sharma @ Ghokali Sharma 2 to 4 S/o Upendra Sharma
 5. Bhagwan Sharma S/o Late Fabru Sharma
- All Resident of Village- Auriya Chap, P.S. Bhawanipur, District- Purnea.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-01-2019 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, 504 and 506 of the Indian Penal Code registered in connection with Bhawanipur P.S. Case No. 249 of 2017.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of the land dispute and there is case and counter case between the parties. The thrust of accusation of assault is on petitioner no. 3 Sudhir Sharma and there is general and omnibus allegation against the petitioners. The first information report has been instituted belatedly on 09.09.2017 for the alleged occurrence of 05.09.2017. 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 Chief Judicial Magistrate, Purnea in connection with Bhawanipur P.S. Case No. 249 of 2017, 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.

(Vikash Jain, J)

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