

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49599 of 2019**

Arising Out of PS. Case No.-228 Year-2019 Thana- MAHUA District-
Vaishali

- =====
1. SAROJ KUMAR Son of Late Kailash Singh Resident of Village - Dharampur, P.S.- Sarai, District - Vaishali
 2. Manoj Kumar Son of Late Kailash Singh Resident of Village - Dharampur, P.S.- Sarai, District - Vaishali
 3. Birendra Kumar Singh @ Birendra Singh Son of Late Kailash Singh Resident of Village - Dharampur, P.S.- Sarai, District - Vaishali
 4. Shyam Kumar Son of Shri Kaushal Kishore Singh Resident of At Village - Belkunda, P.S.- Mahua, District - Vaishali
 5. Indrajeet Kumar Son of Shri Kaushal Kishore Singh Resident of At Village - Belkunda, P.S.- Mahua, District - Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Rajesh Ranjan, Advocate.
For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-08-2019 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, 324, 307, 379, 504/34 of the Indian Penal Code registered in connection with Mahua P.S. Case No. 228 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the accusations of assault are general and omnibus except in respect of petitioner no. 1 who is said to have



given knife blow to informant on the neck and stomach. F.I.R. has been instituted after inordinate delay on 24.04.2019 for the alleged occurrence of 14.04.2019 and in retaliation to the F.I.R. lodged by the petitioner no. 1 against the informant of the present case and other persons. The present petitioner nos. 1, 2 and 3 are accused in one other case while the petitioners nos. 4 and 5 claims clean antecedents.

4. Be that as it may, in the event of arrest or surrender of the petitioners before the court below within six weeks from the date of communication of this order, let the petitioner nos. 2, 3, 4 and 5 be released on bail and petitioner no. 1 on provisional 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, Vaishali at Hajipur in connection with Mahua P.S. Case No. 228 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State



shall be at liberty to move for cancellation of bail.

(iv) 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.

5. The provisional bail granted to the petitioner no. 1 shall be confirmed upon verification by the learned Court below within a further period of four weeks after furnishing bail bond, that the injuries sustained by the informant are not grievous in nature. In case any grievous injury is found, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

lbrar//-

U		T	
---	--	---	--

