

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46217 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- CHHATAPUR District- Supaul

1. Md. Kamruzma @ Dham , aged about 55 years, Male,
 2. Md. Badruzma @ Badruzma, aged about 40 years Male, Both sons of Late Masiuddin
 3. Md. Parwez , aged about 25 years, Male,
 4. Md. Meraz @ Meraz, aged about 23 years Male, both sons of Md. Kamruzma @ Dham
 5. Md. Israil @ Pan @ Israil, aged about 45 years Male, son of Md. Ekramul
- All are resident of village- Kathara, Ward No. 11, P.S.- Chhatapur, District- Supaul

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Arun, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-07-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 325, 379, 307, 504 and 506/34 of the Indian Penal Code registered in connection with Chhatapur P.S. Case No. 12 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. The grievous injury on the forearm of Md. Izhar is specifically attributable to other co-accused Md. Chand and Alamgir, who are said to have assaulted with *lathi* on the said injured. The accusation of assault by the petitioners is general and omnibus in nature. All other injuries are 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-IV, Supaul in connection with Chhatapur P.S. Case No. 12 of 2019, subject to the conditions as laid down under Section 438 (2) of the 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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