

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51407 of 2019

Arising Out of PS. Case No.-132 Year-2017 Thana- ARER District- Madhubani

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1. AKHLESH KAMAT @ AKHILESH KAMAT Son of Gujan Kamat Resident of Village-Danga Ghuskipatti, P.S.-Arer, District-Madhubani.
 2. Rekha Devi Wife of Akhlesh Kamat Resident of Village-Danga Ghuskipatti, P.S.-Arer, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Ms.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 307/34 of the Indian Penal Code registered in connection with Arer P.S. Case No. 132 of 2017.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of quarrel between the parties who are neighbours. There is inordinate delay in institution of the FIR on 02.10.2017 for the alleged occurrence of 16.09.2017. The petitioner no. 1 is said to have assaulted the informant with 'Khudal', however, the injuries are simple in nature. No specific assault is attributed to petitioner no. 2. 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M.Ist Class, Benipatti, District Madhubani in connection with



Arer P.S. Case No. 132 or 2017, 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 shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate 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.
- iv. The petitioner no. 1 shall remain physically present and the petitioner no. 2 shall be well represented 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.

(Vikash Jain, J)

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