

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51943 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

1. Shailesh Das @ Shailesh Rabidas, aged about 30 years Male, Son of Sudama Rabidas Resident of Village- Lohra, P.S.- Nardiganj District- Nawada
2. Mukesh Kumar, aged about 21 years Son of Hira Ravidas
3. Kundan Kumar aged about 20 years Son of Hira Ravidas,
Petitioner Nos. 2 & 3 are resident of Village- Lohara Bigha, P.S.- Muffasil, District- Nawada

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Pramod Kumar Verma, Advocate
For the Opposite Party : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-08-2019 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, 323, 325, 354(B), 379 and 504/34 of the Indian Penal Code registered in connection with Muffasil P.S. Case No. 21 of 2019.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties who are *Gotias*. The accusation attracting the ingredients of the offence alleged under section 354(B) of the IPC is against other co-accused persons. The accusation of theft against the petitioners is mere embellishment. 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, Nawada in connection with Muffasil P.S. Case No. 21 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure 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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