

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50947 of 2019

Arising Out of PS. Case No.-113 Year-2019 Thana- JOKIHAT District- Araria

1. Sabir age - 35 years male Son of Late Salahuddin
 2. Qaiyum age - 50 years male Son of Late Jamil
 3. Mahboob Alam @ Mahboob @ Bechan age - 42 years male Son of Ishaque
 4. Mukhtar age - 40 years male Son of Late Jamil
 5. Jamshed age -35 years male Son of Late Jamil
- All resident of Village - Kashibari, P.S.- Jokihat, District- Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

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

2. The petitioners apprehends their arrest for the offences alleged under Sections 341, 323, 354B, 379, 447, 448 and 504/34 of the Indian Penal Code registered in connection with Jokihat P.S. Case No. 113 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 accusations of assault with fists and slaps on the persons of the informant and his Bhabhi are general and omnibus in nature. There is no injury report on record to corroborate the accusation of assault. 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, Araria in connection with Jokihat P.S. Case No. 113 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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