

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55938 of 2019

Arising Out of PS. Case No.-652 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

1. PANKAJ KUMAR Son of Ramlala Ray @ Ramlal Rai Resident of Village - Sugaridih, P.S. - Runni Saidpur, District - Sitamarhi.
2. Nitish Kumar @ Nitesh Kumar Son of Ramlala Ray @ Ramlal Rai Resident of Village - Sugaridih, P.S. - Runni Saidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-09-2019 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, 307, 379/34 of the Indian Penal Code registered in connection with Runni Saidpur P.S. Case No. 652/2018.

3. It is submitted that the petitioners have been falsely implicated and there is delay in institution of the FIR on 29.10.2018 for the alleged occurrence of 14.10.2018. It is submitted that as a matter of fact a divorce case has been filed by the informant and his wife is residing at her *maika*. It is submitted that the injuries are simple in nature. The petitioners claims 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 CJM, Sitamarhi, in connection with Runni Saidpur P.S. Case No. 652/2018, 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 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.

(Vikash Jain, J)

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