

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53869 of 2019

Arising Out of PS. Case No.-701 Year-2018 Thana- MANER District- Patna

1. SHIVJEE RAI Son of Late Sobha Rai R/O - Dost Nagar, P.S.- Maner, District- Patna
2. Seth Rai Son of Late Rajnarain Rai R/O - Dost Nagar, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 148, 149, 147, 341, 323 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Maner P.S. Case No. 701/2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and for which the brother of the petitioner has filed a proceeding under Section 144 Cr.P.C. on 05.11.2018 before the Court of learned S.D.M., Danapur, in retaliation of which the present FIR has been instituted. No injury has been caused to anyone which shows falsity of the allegation. The petitioner is accused in one prior case lodged by the present informant.

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 Sushri



Nutan Kumari, learned J.M Ist Class, Danapur, in connection with Maner P.S. Case No. 701/2018, 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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