

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55936 of 2019**

Arising Out of PS. Case No.-173 Year-2019 Thana- GHORASAHAN District-
East Champaran

- =====
1. MANOJ SINGH @ MANORANJAN SINGH Son of Yogendra Singh Resident of Village- Sathaura, P.S.- Jitna (Ghorasahan), District- East Champaran.
 2. Arun Singh @ Arun Kumar Singh Son of Jamadar Singh Resident of Village- Sathaura, P.S.- Jitna (Ghorasahan), District- East Champaran.
 3. Ranjan Kumar Son of Manoj Singh @ Manoranjan Singh Resident of Village- Sathaura, P.S.- Jitna (Ghorasahan), District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dilip Kumar Tondon, Advocate.

For the Opposite Party: Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 448, 341, 323, 307, 354, 379, 504, 506/34 of the Indian Penal Code registered in connection with Ghorasahan (Jitna) P.S. Case No. 173 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the informant is a co-villager of the petitioners who are family members- petitioner no. 2 is the cousin of petitioner no. 1 while petitioner no. 3 is the son of petitioner no.

1. There is case and counter case between the parties. Moreover



two F.I.Rs in Ghorasahan (Jitna) P.S. Case NO. 30 of 2019 and Ghorasahan (Jitna) P.S. Case No. 06 of 2019 (Annexures-3 and 4) had been filed by the petitioners' side earlier on 26.01.2019 and 06.01.2019 respectively. It is submitted that the petitioner no. 2 had filed CWJC No. 9993 of 2019 in which by order dated 08.07.2019 (Annexure-5) it has been taken note of that the PDS licence of the dealer (Ram Deepak Devi from the informant's side) has been cancelled on 01.06.2019. It is therefore submitted that the present F.I.R. is completely mischievous and vengeful and in any event the injuries are simple in nature. The petitioner nos. 1 and 3 claim clean antecedents whereas there is a prior case against petitioner no. 2.

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 Sub-Divisional Judicial Magistrate, Sikhravana, Dhaka, East Champaran in connection with Ghorasahan (Jitna) P.S. Case No. 173 of 2019, 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 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.

(iv) 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.

(Vikash Jain, J)

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