

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55955 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- ARA MUFFSIL District- Bhojpur

1. Salabuddin, aged about 50 years, male, Son of Late Tabarak Hussain
2. Ammamuddin @ Dug Dug aged about 25 years, male, Son of Salabuddin
3. Qayamuddin aged about 23 years, male, Son of Salabuddin
4. Ataudin @ Tunnu @ Md. Ataudin, aged about 24 years, male, Son of Jahiruddin,
All resident of Village-Ramdev Chhapra, P.S.-Ara Bhojpur, District Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Mrigendra Pratap Singh, Advocate
For the Opposite Party : Mr.Chandra Bhushan Prasad, APP

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 147, 148, 149, 341, 323, 504, 379, 307 and 325 of the Indian Penal Code registered in connection with Ara Muffasil P.S. Case No. 140 of 2019.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties. The accusation of assault against the petitioners is general and omnibus in nature. In any event, all the injuries are simple except fracture bone of proximal phalanx of left middle finger sustained by the informant Istiaque Ahmad attributed to the assault of co-accused Sharfraz. 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, Ara in connection with Ara Muffasil P.S. Case No. 140 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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