

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55944 of 2019**

Arising Out of PS. Case No.-101 Year-2018 Thana- CHAUTHAM District-
Khagaria

- =====
1. MALTI DEVI, aged about 50 years, female, Wife of Shivanand Sharma Resident of Village-Aadavari, P.S.-Chautam, District-Khagaria.
 2. Navin Kumar, aged about 29 years, male, Son of Shivanand Sharma Resident of Village-Aadavari, P.S.-Chautam, District-Khagaria.
 3. Gaurav Kumar @ Gorav Kumar, aged about 19 years, male, Son of Bablu Verma @ Deepak Verma Resident of Village-Aadavari, P.S.-Chautham, District-Khagaria At present R/o Village-Nougardhi, P.S.-Munger (Mufassil), District-Munger.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Rajesh Kumar, Advocate.
For the Opposite Party: Dr. Ajeet Kumar, APP

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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, 448, 379, 308, 504 and 506/34 of the Indian Penal Code registered in connection with Chautham P.S. Case No. 101 of 2018, G.R. No. 1427 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and the parties are next door neighbours. The petitioners are alleged to have variously assaulted the informant, his wife and son and taken away his wife's earring but in any event the injuries are simple in nature. 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri Satish Mani Tripathi, learned Judicial Magistrate Ist Class, Khagaria in connection with Chautham P.S. Case No. 101 of 2018, G.R. No. 1427 of 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(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 petitioner no. 1 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court below to be physically present and petitioner nos. 2 and 3 shall remain physically present in court on each and every date, 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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