

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53805 of 2019**

Arising Out of PS. Case No.-297 Year-2019 Thana- MUFFASIL District-
West Champaran

- =====
1. LALAN PATEL Son of Late Raghunath Patel Resident of Village- Nawka Tola, Ward No. 06, P.S.- Bettiah Muffasil, District- West Champaran.
 2. Binod Patel Son of Late Ramjee Patel Resident of Village- Nawka Tola, Ward No. 06, P.S.- Bettiah Muffasil, District- West Champaran.
 3. Deepak Patel Son of Binod Patel Resident of Village- Nawka Tola, Ward No. 06, P.S.- Bettiah Muffasil, District- West Champaran.
 4. Raja Patel Son of Binod Patel Resident of Village- Nawka Tola, Ward No. 06, P.S.- Bettiah Muffasil, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party: APP

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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 448, 341, 323, 324, 307, 384, 379, 506, 504/34 of the Indian Penal Code registered in connection with Bettiah Muffasil P.S. Case No. 297 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and for which Title Suit No. 138 of 2018 is pending before the Court of learned Sub-Judge, Bettiah, West Champaran against the vendor of the informant. The specific accusation of assault has been made against petitioner no. 1 who is said to have assaulted the informant on the head with iron rod, and also on co-accused Sudhir Patel who is said to have assaulted with knife, while the



accusation against the petitioner nos. 2, 3 and 4 are general and omnibus in nature. It is submitted that 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil P.S. Case No. 297 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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