

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61702 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- CHAUSA District- Madhepura

1. SHASHI KUMAR DAS Son of Sri Bilash Das @ Vilas Das Resident of Village- Ghoshal P.S.- Chousa, District- Madhepura.
2. Mithilesh Kumar Yadav @ Raghuvir Yadav @ Mithlesh Kumar Son of Bindeshwari Prasad Yadav Resident of Village- Laualagan West, P.S.- Chousa, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-10-2019 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, 353, 427, 171(F), 379, 504, 506/34 of the Indian Penal Code registered in connection with Chousa P.S. Case No. 33/2019.

3. It is submitted that the petitioners have been falsely implicated and there is delay in institution of the FIR on 06.02.2019 for the alleged occurrence of 05.02.2019. The petitioners are Up Pramukh and Panchayat Member who have approached the Circle Officer (informant), Chousa for payment of compensation amount to the ladies and for which the said ladies have filed a complaint before the Sub-divisional Officer two days' prior to the present FIR. 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 CJM, Madhepura, in connection with Chousa P.S. Case No. 33/2019, 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 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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