

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55937 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- KAHALGAON District- Bhagalpur

1. BHAGIRATH MISTRI @ BHAGIRATH SHARMA S/o Late Narsingh Mistri R/o village- Shyampur, Lalpur Bhader, P.S.- Kahalgaon, District- Bhagalpur
2. Sudha Devi W/o Bhagirath Mistri @ Bhagirath Sharma R/o village- Shyampur, Lalpur Bhader, P.S.- Kahalgaon, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Neelam Kumari
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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 323, 324, 340, 341, 307, 354/34 of the Indian Penal Code registered in connection with Kahalgaon P.S. Case No. 125/2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. The petitioner no. 1 and the informant are own brothers. The accusations are general and omnibus in nature and 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 Sessions Judge, Bhagalpur, in connection with Kahalgaon P.S. Case No. 125/2019, 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 petitioner no. 1 shall remain physically present and the petitioner no. 2 will be well represented 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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