

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63403 of 2019

Arising Out of PS. Case No.-172 Year-2019 Thana- PALASI District- Araria

1. AINUL HAQUE @ MD. AINUL @ MD. AINUL HAQUE Son of Md. Sulaiman Resident of Village- Barbanna, P.S.- Palasi, District- Araria.
2. Babul Akhtar @ Md. Babul @ Babul Akhter Son of Md. Sulaiman Resident of Village- Barbanna, P.S.- Palasi, District- Araria.
3. Md. Nouman @ Md. Sabul Son of Md. Sulaiman Resident of Village- Barbanna, P.S.- Palasi, District- Araria.
4. Mahmez @ Md. Mahmez Son of Md. Sulaiman Resident of Village- Barbanna, P.S.- Palasi, District- Araria.
5. Md. Sulaiman Son of Late Aulad Resident of Village- Barbanna, P.S.- Palasi, District- Araria.
6. Naheda @ Bibi Naheda Wife of Ainul Haque @ Md. Ainul Resident of Village- Barbanna, P.S.- Palasi, District- Araria.
7. Bibi Farghab @ Farghab Daughter of Late Samood Resident of Village- Barbanna, P.S.- Palasi, District- Araria.
8. Samsida Wife of Late Sawood Resident of Village- Barbanna, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque
For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-10-2019 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, 307, 379 and 504 of the Indian Penal Code, registered in connection with Palasi P.S. Case No. 172 of 2019.



3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. Petitioner nos. 1 to 4 are nephews of the informant while petitioner no.5 is brother of the informant. The injuries sustained by the informant's side are all simple in nature. The petitioners claim clean antecedents.

4. Learned APP, assisted by learned counsel for the informant, appearing *suo motu* has been heard.

5.. Be that as it may, in the event of petitioners' arrest or surrender before 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 the like amount each to the satisfaction of learned A.C.J.M. VI, Araria in connection with Palasi P.S.Case No. 172 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 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) That the petitioner nos. 1 to 5 shall remain physically present in court on each and every date during trial and petitioner nos. 6 to 8 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 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)

HR/-

U		T	
---	--	---	--

