

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63418 of 2019

Arising Out of PS. Case No.-386 Year-2019 Thana- KATIHAR District- Katihar

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1. MD. QUARBAN Son of Md. Akbar @ Md. Putul Resident of Village - Balu Tola Sarifganj, P.S.- Katihar (Sahayak), District - Katihar.
 2. Shahnawaj Son of Md. Akbar @ Md. Putul Resident of Village - Balu Tola Sarifganj, P.S.- Katihar (Sahayak), District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh
For the Opposite Party/s : Mr.Nand Kishore Prasad

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, 342, 323, 427, 379, 506 and 436/34 of the Indian Penal Code, registered in connection with Katihar Town P.S.Case No. 386 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute as the parties are *Gotias*. The accusation of setting the house of the informant on fire is improbable as the said is said to have been made by tin *tali* and *chappar*. The petitioners are accused in one prior case of bailable nature.

4. 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 Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 386 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 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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