

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58317 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- KUMAR KHAND District- Madhepura

1. MD. MUSTAKIM @ MUSTAKIM Son of Alisher Resident of Village - Bishanpur Bazaar, Ward No.05, P.S.- Kumarkhand and Dist.- Madhepura.
2. Md. Gafur Son of Alisher Resident of Village - Bishanpur Bazaar, Ward No.05, P.S.- Kumarkhand and Dist.- Madhepura.
3. Muktar Son of Gafur Resident of Village - Bishanpur Bazaar, Ward No.05, P.S.- Kumarkhand and Dist.- Madhepura.
4. Jalekha Khatoon W/O Maksood @ Md. Maksood Resident of Village - Bishanpur Bazaar, Ward No.05, P.S.- Kumarkhand and Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code registered in connection with Kumarkhand P.S. Case No. 23/2019.

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 accusations are general and omnibus in nature and opinion in respect of the injuries sustained by Md. Bechu and Md. Gyas have been kept reserved. Similarly situated co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. No. 54522 of 2019. The petitioners claim clean antecedents.

4. Be that it may, in the event of petitioners' arrest or surrender within four weeks hereof let the above named petitioners' be released



on provisional bail on furnishing bail bond of Rs.10,000/- [ten thousand] each with two sureties of like amount each to the satisfaction of learned SDJM, Madhepura in connection with Kumarkhand P.S. Case No. 23/2019, 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 nos.1, 2 and 3 shall remain physically present in Court on each and every date during trial and the petitioner no. 4 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.

5. The provisional bail granted to the petitioners shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury has been caused to Md. Bechu and Md. Gyas. In case grievous injury is found, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

Chandran/-

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

