

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55418 of 2019

Arising Out of PS. Case No.-401 Year-2019 Thana- DEHRI TOWN District- Rohtas

1. Akhilesh Tiwari, Gender-Male, aged about 44 , Son of Dineshwar Tiwary Resident of Village - Tiwaridih, P.S.- Baden O.P. Nabinagar, District- Aurangabad
2. Shailesh Tiwari Gender-Male, aged about 43 , Son of Dineshwar Tiwary Resident of Village - Tiwaridih, P.S.- Baden O.P. Nabinagar, District- Aurangabad
3. Murari Pandey @ Murari Kumar Pandey, Gender-Male, aged about 34, Son of Sri Awadh Bihari Pandey Resident of Village - Manauli, P.S.- Nasriganj, District- Rohtas
4. Ritesh Pandey @ Ritesh Kumar Dubey Gender-Male, aged about 30 , Son of Late Surendra Dubey Resident of Village - Khutana, P.S.- Nasriganj, District- Rohtas

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Thakur, Advocate Mr. Shashank Shekhar, Advocate
For the Opposite Party	:	Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-09-2019 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, 325, 307, 379, 427, 504, 506, 34 of the Indian Penal Code registered in connection with Dehri Town P.S. Case No. 401 of 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 in which both sides have sustained injuries, final opinion in respect of which has been kept reserved. The informant is none other than the maternal uncle of petitioner no. 2. The petitioners claim clean antecedents, except petitioner no. 4 who is accused in one prior case.

4. Be that as it may, in the event of the petitioners'



arrest or surrender before the court below within four weeks from the date of communication of this order, let the above named petitioners be released on provisional bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Dehri (Rohtas) in connection with Dehri Town P.S. Case No. 401 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) That the petitioners shall cooperate 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.

5. The provisional bail granted to the petitioners shall be confirmed by the learned court below upon verification within a period of four weeks after furnishing bail bonds, that no grievous injury has been sustained by any person of the informant's side. If found otherwise, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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