

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63447 of 2019

Arising Out of PS. Case No.-37 Year-2018 Thana- SAHARGHAT District- Madhubani

1. RAJENDRA MANDAL Son of Bhaglu Mandal Resident of Village-Salempur, Police Station-Sahar Ghat, District-Madhubani.
2. Sunder Sah @ Sundeshwar Sah @ Surendra Sah Son of Sukh Lal Sah Resident of Village-Salempur, Police Station-Sahar Ghat, District-Madhubani.
3. Bijay Mandal Son of Ram Uday Mandal Resident of Village-Salempur, Police Station-Sahar Ghat, District-Madhubani.
4. Dinesh Mandal Son of Nageshwar Mandal Resident of Village-Salempur, Police Station-Sahar Ghat, District-Madhubani.
5. Pradip Sah @ Pradip Sahu Son of Devendra Sah Resident of Village-Salempur, Police Station-Sahar Ghat, District-Madhubani.
6. Bechan Mandal Son of Ramyad Mandal Resident of Village-Salempur, Police Station-Sahar Ghat, District-Madhubani.
7. Chulhai Khatway @ Chulhai Mandal Khatway Son of Ganesh Khatway Resident of Village-Salempur, Police Station-Sahar Ghat, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harshwardhan Sahay, Mr. Rajeev Kumar Sinha
For the Opposite Party/s	:	Mr. Uday Pratap Singh

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 147, 149, 341, 323, 353, 447, 504 and 506 of the Indian Penal Code registered in connection with Sahar Ghat P.S. Case No. 37 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the FIR is against as many as 11 named and 100 unknown



persons. The petitioners merely happened to be in the vicinity and the accusations are general and omnibus in nature without any specific accusation attributed to the petitioners. The petitioners claim clean antecedents except petitioner no. 5 who is accused in one prior case of theft, in which compromise application has been filed.

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 SDJM, Benipatti, District Madhubani, in connection with Sahar Ghat P.S. Case No. 37 of 2018, 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 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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