IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59210 of 2019

Arising Out of PS. Case No.-98 Year-2016 Thana- PRATAPGANJ District- Supaul

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1. MD. SAHABUDDIN @ MD. SHAHABUDDIN S/o Md. Shekh Sakur A resident of Madhubani Dorara, P.S.- Balua Bazar (Lalit Gram O.P.), District- Supaul.
2. Md. Firoj @ Firoz Alam S/o Md. Shekh Jabbar Resident of Madhubani Dorara, P.S.- Balua Bazar (Lalit Gram O.P.), District- Supaul.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Kamal Kishore Singh
For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-09-2019 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, 324, 325, 342, 307, 379, 504 and 506 of the Indian Penal Code, registered in connection with Pratapganj P.S.Case No. 98 of 2016.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute. The accusation of assault is general and omnibus in nature and no specific assault has been attributed individually. Petitioners claim clean antecedents.

4. The learned APP invites reference to the order of

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the learned Sessions Judge with regard to the injury report in paragraph 20 of the case diary to the effect that the informant has sustained injuries on his forehead and right eye.

4. Till further orders, in the event of petitioners' arrest or surrender before court below within four 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 the like amount each to the satisfaction of learned S.D.J.M. Birpur in connection with Pratapganj P.S.Case No. 98 of 2016, 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

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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 bonds that no grievous injury has been caused to the informant. In case grievous injury is found, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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