

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59558 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- JOGAPATTI District- West Champaran

1. MULTAN MIYA Son of Rasul Miya Resident of Village- Jagiraha, Police Station- Yogapatti, District- West Champaran, Bettiah.
2. Rabina Khatoon @ Rabin Khatoon Wife of Multan Miya Resident of Village- Jagiraha, Police Station- Yogapatti, District- West Champaran, Bettiah.
3. Bismila Miya @ Bismil Miya Son of Late Moharram Miya Resident of Village- Jagiraha, Police Station- Yogapatti, District- West Champaran, Bettiah.
4. Jamila Khatoon Wife of Reyajul Miyan @ Riyajul Miya & Riyajul Miyan Resident of Village- Jagiraha, Police Station- Yogapatti, District- West Champaran, Bettiah.
5. Mahmud Miya Son of Late Moharram Miya Resident of Village- Jagiraha, Police Station- Yogapatti, District- West Champaran, Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajeet Kumar Bhardwaj
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-09-2019 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 143, 447, 341, 323, 324, 354, 307, 379, 504 and 506 of the Indian Penal Code, registered in connection with Yogapatti P.S.Case No. 24 of 2019.

3. It is submitted that petitioners have been falsely implicated in the backdrop of land dispute and the parties are



pattidars It is submitted that there is accusation of assault with iron rod and *Bhala*, but in any event a statement is made at the Bar on behalf of the petitioners that the injury on the informant's side is simple in nature. The petitioners claim clean antecedents.

4. Be that as 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 bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., West Champaran, Bettiah in connection with Yogapatti P.S. Case No. 24 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 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 petitioner nos. 1, 3 and 5 shall remain physically present in court during trial and petitioner nos. 2 and 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.

(v) 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 none of the informant's side have sustained grievous injury. If it is found that grievous injury has been sustained by anyone on the informant's side, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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