

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55395 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- KOCHAS District- Rohtas

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1. MUNNA PATEL @ MUNA PATEL @ AMARJEET KUMAR Son of Prem Chand Singh Resident of Village- Pithiwaiyan, Police Station- Dinara in the District of Rohtas. At present resident of Mohalla- Patel Nagar, Kochas, Police Station- Kochas in The District of Rohtas.
 2. Babu Dhan Chaudhary @ Babu Dhan Singh Son of Sri Ramji Chaudhary Resident of Village- Pithiwaiyan, Police Station- Dinara in the district of Rohtas. At present resident of Mohalla- Patel Nagar, Kochas, Police Station- Kochas in the district of Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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, 307/34 of the Indian Penal Code registered in connection with Kochas P.S. Case No. 92 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the FIR has been instituted in the backdrop of petty dispute in which the motorcycle on which the informant's brother was returning from school tried to overtake the car of the petitioner no. 1. An application dated 06.05.2019 was submitted by sister of the petitioner no. 1 before the S.H.O., Kochas for lodging an FIR against the informant and his brother Avinash Kumar. However, the police did not lodge any case, Complaint Case No. 447 of 2019 was then filed before the Court of learned CJM, Rohtas at Sasaram, who after enquiry took cognizance. It is submitted that the accusations are general and omnibus. In any event the injuries have been found by the medical board to be simple



in nature. The petitioners claim clean antecedents.

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 ACJM-I, Rohtas at Sasaram, in connection with Kochas P.S. Case No. 92 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 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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