

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79758 of 2018

Arising Out of PS. Case No.-19 Year-2018 Thana- DARPA District- East Champaran

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1. Mumtaj Mian S/o Late Baksish Mian
 2. Haidar Ali S/o Late Aslam Mian both are r/vill-Darpa Tola Pipra,P.S-Darpa,Distt.-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Sri Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-01-2019 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, 307, 379, 504/34 IPC registered in connection with Darpa P.S. Case No. 19 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event statement is made at the Bar that the injuries sustained by the informant Mahmood Mian attributed to the petitioner no. 1 are simple in nature. The accusation of assault on the informant by petitioner no. 2 is general and omnibus in nature. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitionerss 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, Raxaul at Motihari, East Champaran in connection with Darpa P.S. Case No. 19 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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