

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67514 of 2019**

Arising Out of PS. Case No.-69 Year-2018 Thana- POTHIIYA District-
Kishanganj

- =====
1. PORESH SOREN Son of Chunda Soren Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.
 2. Dilu Murmu Son of Lt Raghu Murmu Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.
 3. Ratan Tudu Son of Dula Tudu Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.
 4. Mota Tudu @ Mata Tudu Son of Dula Tudu Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.
 5. Balu Tudu Son of Bacha Tudu Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.
 6. Madan Murmu Son of Gathea Murmu Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.
 7. Kandru Marandi Son of Late Bhado Marandi @ Bhadu Marandi Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.
 8. Soben Marandi @ Sobandi Marandi @ Soban Marandi Son of Josef Marandi Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.
 9. Murli Marandi Son of Josef Marandi Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.
 10. Sonu Marandi @ Suno marandi Son of Josef Marandi Resident of Village - Kachakhuwa, P.S.- Pothia, Dist.- Kishanganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioners : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party: Mrs. Nirmala Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 07-11-2019

Learned counsel for the petitioners states that the petitioner no. 2 has been arrested and as such the anticipatory bail petition has become infructuous and seeks permission to withdraw the same.

2. Permission is accorded. The anticipatory bail



petition of petitioner no. 2 stands dismissed as withdrawn.

3. The petitioners (except petitioner no. 2) apprehend their arrest for the offences alleged under Sections 447, 147, 148, 149, 386, 504, 506 of the Indian Penal Code registered in connection with Pothia P.S. Case No. 69 of 2018.

4. It is submitted that the petitioners (except petitioner no. 2) have been falsely implicated and the F.I.R. has been instituted against as many as 12 named and 15-20 unknown persons. The accusations are general and omnibus in nature without any specific accusations attributed to them individually. The petitioners except petitioner no. 6 are variously accused in several other cases which however been lodged at the instance of the informant's side.

5. Be that as it may, in the event of the petitioners (except petitioner no. 2) arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners (except petitioner no. 2) 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 Sub-Divisional Judicial Magistrate, Kishanganj in connection with Pothia P.S. Case No. 69 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 of each of the petitioners shall be their close relatives other than the petitioners (except petitioner no. 2).

(ii) That the petitioners (except petitioner no. 2) shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners (except petitioner no. 2) shall cooperate 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 (except petitioner no. 2) 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)

Ibrar//-

U			
---	--	--	--

