

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63882 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- SIMRA District- Aurangabad

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1. KAMLESH YADAV Son of Sahdeo Yadav @ Saheb Yadav Resident of Village- Sheopur, P.S.- Simra, District- Aurangabad.
 2. Mamta Devi Wife of Dinesh Yadav @ Devesh Yadav Resident of Village- Sheopur, P.S.- Simra, District- Aurangabad.
 3. Tetari Devi @ Maitri Devi Wife of Ramkesh Yadav Resident of Village- Sheopur, P.S.- Simra, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlendra Pd. Singh
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehends their arrest for the offences alleged under Sections registered in connection with Simra P.S. Case No. 30 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute over a goat which entered the informant's field and started destroying the paddy crops. It is submitted that there is case and counter case between the parties, who are gotia. The accusation of assault is general and omnibus save and except against Kamlesh Yadav, petitioner no. 1 who is said to have assaulted the informant on his head with *bhala* but the injuries are simple in nature except one injury sustained by the informant on his right middle finger, being a non-vital part of the body, which is not specifically attributed to any of the petitioners, who 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 SDJM, Aurangabad, in connection with Simra P.S. Case No. 30 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 petitioner no. 1 shall remain physically present in Court on each and every date during trial and the petitioner nos.2 and 3 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.

(Vikash Jain, J)

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