

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59159 of 2019

Arising Out of PS. Case No.-101 Year-2019 Thana- AWTARNAGAR District- Saran

1. SATISH KUMAR Son of Birendra Ray Resident of Village - Jhaua, P.S.- Awatar Nagar, in the district of Saran at Chapra
2. Bittu Kumar Son of Birendra Ray Resident of Village - Jhaua, P.S.- Awatar Nagar, in the district of Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-09-2019

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehends his arrest for the offences alleged under Sections 341, 323, 379, 325, 307, 504/34 of the Indian Penal Code registered in connection with Awatar Nagar P.S. Case No. 101/2019.

3. It is submitted that the petitioners have been falsely implicated on the accusation of assault with lathi and brick upon the informant causing fracture of hand. It is submitted that the accusation of assault is general and omnibus without attributing any specific assault individually. The petitioners claim clean antecedents.

4. Be that 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 bond of Rs.10,000/- [ten thousand] each with two sureties of like amount each to the satisfaction of learned ACJM XI, Saran at Chapra in connection with Awatar Nagar P.S. Case No. 101/2019 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.

5. 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 bond, that no grievous injury has been caused by the informant. In case grievous injury is found, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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