

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59545 of 2019**

Arising Out of PS. Case No.-49 Year-2018 Thana- CHANDRAMANDI
District- Jamui

- =====
1. AWADH RAI Son of Hakim Rai Resident of Village- Asahna, Police Station- Chandramandih, District- Jamui.
 2. Lalita Devi Wife of Awdhesh Rai, Daughter of Shridhar Singh Resident of Village- Asahna, Police Station- Chandramandih, District- Jamui.
 3. Sandeep Rai @ Sandeep Kumar Rai @ Sandip Kumar Rai @ Sanjiv Kumar Rai Son of Shambhu Rai Resident of Village- Asahna, Police Station- Chandramandih, District- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Akhauri Kamal Kishore Sahay, Advocate.

For the Opposite Party: Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 23-09-2019 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, 379, 307, 504 and 506/34 of the Indian Penal Code registered in connection with Chandramandih P.S. Case No. 49 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute and the parties are *gotiya* living in different part of the house after partition. There is delay in instituting the F.I.R. on 01.07.2018 for the alleged occurrence of 27.06.2018. There is accusation of assault by the petitioners but in any event the injuries are all 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 Sri S.K. Singh, learned Judicial Magistrate Ist Class, Jamui in connection with Chandramandih P.S. Case No. 49 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 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 petitioner no. 2 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 petitioner nos. 1 and 3 shall remain physically present in Court on each and every date, 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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