

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63033 of 2019

Arising Out of PS. Case No.-233 Year-2019 Thana- MASHRAK District- Saran

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1. MUKESH KUMAR PRASAD @ MUKESH PRASAD Son of Late Ramjeet Prasad Resident of Village - Jajauli, P.S.- Mashrakh, District- Saran
 2. Munna Kumar Prasad @ Munna Prasad Son of Late Ramjeet Prasad Resident of Village - Jajauli, P.S.- Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ankur Prakash Sinha
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-10-2019 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, 354(B), 379, 448, 384, 504, 506/34 of the Indian Penal Code registered in connection with Mashrakh P.S. Case No. 233 of 2019.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties. It is submitted that the FIR has been lodged only to save the informant's own skin as the petitioners had sustained injuries and the fardbeyan of petitioner no. 2 has been recorded in the Sadar Hospital, Chapra. The accusation of assault is general and omnibus in nature and no specific assault has been attributed individually. 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



learned ACJM-VI, Chapra, in connection with Mashrakh P.S. Case No. 233 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 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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