

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60343 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- SANOKHAR District- Bhagalpur

1. ANIL HARIJAN Son of Late Ravan Harijan @ Raman Harijan Resident of Village- Gathaur, P.S. Sanokhar (Amdanda), District- Bhagalpur.
2. Akshya Harijan Son of Late Ravan Harijan @ Raman Harijan Resident of Village- Gathaur, P.S. Sanokhar (Amdanda), District- Bhagalpur.
3. Rakesh Harijan Son of Late Mangal Harijan Resident of Village- Gathaur, P.S. Sanokhar (Amdanda), District- Bhagalpur.
4. Baleshwar Harijan Son of Late Ganesh Harijan Resident of Village- Gathaur, P.S. Sanokhar (Amdanda), District- Bhagalpur.
5. Shragun Harijan @ Sargun Harijan Son of Sitaram Harijan Resident of Village- Gathaur, P.S. Sanokhar (Amdanda), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 149, 341, 323, 308, 379, 504 and 506 of the Indian Penal Code, registered in connection with Sanokhar (Amdanda) P.S.Case No. 36 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the accusation of assault is general and omnibus against the accused persons. It is submitted that there is case and



counter case between the parties. Learned counsel for the petitioners invites reference to the order of the learned 8th Additional District and Sessions Judge, Bhagalpur, taking note of the injury at paragraph 15 of the case diary, showing the injury to be simple in nature. The accusation under Section 379 IPC is mere embellishment. The petitioners claim clean antecedents.

4. Be that as it may, in the event of petitioners' arrest or surrender before 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 bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sanokhar (Amdanda) P.S.Case No. 36 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) That 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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