

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59530 of 2019**

Arising Out of PS. Case No.-118 Year-2019 Thana- VIJAYEPUR District-
Gopalganj

- =====
1. RAM NARESH SAH @ RAM NARESH GUPTA @ RAM NARESH SHA Son of Somari Sah Resident of Village-Madar, Police Station-Vijayipur, District-Gopalganj.
 2. Govind Sah Son of Ram Naresh Sah @ Ram Naresh Gupta @ Ram Naresh Sha Resident of Village-Madar, Police Station-Vijayipur, District-Gopalganj.
 3. Hari Narayan Sah Son of Ram Naresh Sah @ Ram Naresh Gupta @ Ram Naresh Sha Resident of Village-Madar, Police Station-Vijayipur, District-Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioners : Mr. Jai Shanker Prasad, Advocate.

For the Opposite Party: Mr. Umeshanand Pandit, APP

=====

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, 327, 385, 504, 506/34 of the Indian Penal Code registered in connection with Vijayipur P.S. Case No. 118 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of admitted land dispute between the parties. Statement is made at the Bar that no injury whatsoever has been sustained by the informant and as such the accusation



under Section 327 IPC is not made out. The remaining offences as alleged are bailable 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 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 Additional Chief Judicial Magistrate-IV, Gopalganj in connection with Vijayipur P.S. Case No. 118 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(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 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 bonds, that no injury has been sustained by the informant. In case injury is found, their bail bonds stand automatically cancelled.

(Vikash Jain, J)

Ibrar//-

U		T	
---	--	---	--

