

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63399 of 2018

Arising Out of PS. Case No.-316 Year-2017 Thana- HAJIPUR District-
Vaishali

- =====
1. Rakesh Rai @ Rakesh Kumar Son of Haresh Rai @ Hareshwar Rai
 2. Haresh Rai @ Hareshwar Rai S/o Late Nandan Rai
Both Residents of Village-Karnpura,P.S.-Ganga Bridge, Distt.-Vaishali

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Manish Chandra Gandhi, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 14-02-2019 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, 148, 149, 342, 186, 332, 333, 353, 307, 427, 504 and 436 of the Indian Penal Code registered in connection with Hajipur Town P.S. Case No. 316 of 2017.

3. It is submitted that the petitioners have been falsely implicated and the F.I.R. has been instituted against as many as 12 named and 250 unknown persons. The accusation is general and omnibus and no specific overt act has been attributed to the petitioners.

4. Learned APP on the basis of case diary has not pointed out any objective material against the petitioners. The injuries sustained by the police personnel are simple in nature.

5. 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 316 of 2017, 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.

(Vikash Jain, J)

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