

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65265 of 2018**

Arising Out of PS. Case No.-93 Year-2018 Thana- NAANPUR District-
Sitamarhi

- =====
1. Raj Kumar Ray S/o Ram Charitar Ray
 2. Rajendra Sah @ Ragindra Sah @ Ragindra Sahu S/o Late Jitu Sah Both
are Resident of Village-Gaudha P.S. Nanpur Distt.-Sitamarhi

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Uday Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

5 26-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 363, 366/34 of the Indian Penal Code registered in connection with Nanpur P.S. Case No. 93 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute between the parties. The informant is the own brother of the petitioner no. 1 while petitioner no. 2 is a co-villager. There is inordinate delay of about 20 days in institution of the F.I.R. on 02.04.2018 for the alleged occurrence of 12.03.2018. The wife of the informant has returned by herself and thereafter the parties are amicably settled the dispute. 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 Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi, District- Sitamarhi in connection with Nanpur P.S. Case No. 93 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 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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