

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71717 of 2018

Arising Out of PS. Case No.-568 Year-2018 Thana- LAKHISARAI District-
Lakhisarai

- =====
1. Rabi Saw @ Ravi Saw Son of Late Bhagwan Saw.
 2. Gopal Saw Son of Late Bhagwan Saw,
 3. Chhotu Saw Son of Late Bhagwan Saw,
All residents of Village- Pachana Road, Sansar Pokhar, Gandhi Tola, Ward
No. 17, P.S. Kabaiya, District- Lakhisarai.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rabi Bhushan, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 31-01-2019 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, 324, 307, 379, 504, 506 of the Indian Penal Code registered in connection with Lakhisarai (Kabaiya) P.S. Case No. 568 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event the accusation of assaulting the informant is upon co-accused Ranjeet Ram. The accusation against the petitioners along with other co-accused persons of assaulting the informant's brother is general and omnibus in nature and no specific assault has been assigned to anyone of them. Even though five persons including the petitioners are said to have committed assault on the informant's brother. There is only one injury sustained by him. The petitioners claim clean antecedents.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 568 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 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) 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) 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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