

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77883 of 2018

Arising Out of PS. Case No.-140 Year-2018 Thana- KADWA District- Katihar

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1. Md. Iquabal, Son of Hafizuddin
 2. Md. Ansar Son of Hafizuddin
- Both resident of Village- Nista, Tola Nekula, P.S. Balia Belon, District- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir, Adv.

For the Opposite Party/s : Mr.Sri Ramchandra Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 04-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Kadwa (Balua Belon) P.S. Case No. 140 of 2018 registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

Informant has alleged that FIR named accused forcibly entered his maize field and started harvesting upon which they raised objection and thereafter in the evening they came to their house and abused and assaulted them.

It has been submitted on behalf of the petitioner that they are innocent and has committed no offence. They have been falsely implicated in this case. There is case and counter



case and both sides have sustained injury. Allegation against petitioners is causing farsa injury on the head of the informant. Petitioners are in custody since 26.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Vth, Katihar, in connection with Kadwa (Balua Belon) P.S. Case No. 140 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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