

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63412 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- RIVILGANJ District- Saran

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1. RAJESH KUMAR RAI @ RAJESH RAI Son of Ayodhya Rai Resident of Village - Godana Ward No.15, P.S.- Rivilganj, Dist.- Saran.
 2. Ayodhya Roy Son of Late Ramraj Rai Resident of Village - Godana Ward No.15, P.S.- Rivilganj, Dist.- Saran.
 3. Chhotan Rai Son of Ayodhya Roy Resident of Village - Godana Ward No.15, P.S.- Rivilganj, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Bhaskar
For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 441, 341, 323, 324, 307 and 354(B)/34 of the Indian Penal Code, registered in connection with Rivilganj P.S.Case No. 01 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the parties are neighbours and relatives. Reference is invited to the order of the learned Additional Sessions Judge-IX-cum-Special Judge, SC/ST Court, Saran at Chapra, observing that there is no injury report on the record. It



is, therefore, submitted that the accusation of assault by the petitioners does not stand corroborated. The accusations under Section 354(B) are mere embellishment. The petitioners claim clean antecedents.

4. Be that as it may, in the event of petitioners' arrest or surrender before 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 bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-VII Saran at Chapra in connection with Rivilganj P.S.Case No. 01 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 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 co-operate 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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