

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60819 of 2019**

Arising Out of PS. Case No.-9 Year-2019 Thana- EKMA District- Saran
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1. KUMAR BIBHASH @ MUNNA SINGH S/o Sri Ramendra Kumar Singh R/o Mohalla- Dahiyawa Tola, P.S.- Chapra Town, District- Saran
2. Shailendra Singh S/o Late Madan Singh R/o Mohalla- Dahiyawa Tola, P.S.- Chapra Town, District- Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party
=====

Appearance :

For the Petitioners : Mr. Mukesh Kumar Singh, Advocate.

For the Opposite Party: Mr. Nawal Kishore Prasad, APP
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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 325, 307, 504 and 506/34 of the Indian Penal Code registered in connection with Ekma P.S. Case No. 09 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. Both sides have sustained injuries. The accusation of assault with knife on the forehead and cheek by petitioner no. 1 and with iron rod on the teeth of the informant by petitioner no. 2 are not corroborated with the injury report. 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 provisional bail on furnishing bail



bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Saran, Chapra in connection with Ekma P.S. Case No. 09 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 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.

5. The provisional bail granted to the petitioners shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury has been caused to the informant, conversely, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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