

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65806 of 2018

Arising Out of PS. Case No.-134 Year-2018 Thana- BENIPATTI District- Madhubani

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1. Md. Shakil Son of Islam Nadaf
 2. Islam Nadaf, son of Jalil Nadaf
 3. Muslim Nadaf son of Jalil Nadaf
 4. Kidul Nadaf, son of Jalil Nadaf
 5. Hashim Nadaf, son of Taslim Nadaf,
- All R/o Rajdhat, P.S. Benipatti, District -Madhubani

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Md. Soban Asghar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-02-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 149, 448, 341, 323, 427, 380, 354(B), 109 and 506 of the Indian Penal Code and Section 3/4 of the Dain Act registered in connection with Benipatti P.S. Case No. 134 of 2018.

3. It is submitted that the petitioners have been falsely implicated owing to village politics and accusations which are general and omnibus in nature, are denied. No specific overt act has been attributed individually against these petitioners. No injury report has been brought on record to substantiate the allegation of assault. 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 bonds of Rs.10,000/- (ten



thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipatti, District Madhubani in connection with Benipatti P.S. Case No. 134 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) 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.

BT/Chandran

(Vikash Jain, J)

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