

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64147 of 2018

Arising Out of PS. Case No.-118 Year-2018 Thana- PAKRIDAYAL District-
East Champaran

- =====
1. Muna Kumar @ Munna Sahani Son of Binda Sahani
 2. Bhulan Kumar@ Dhanai Sahani Son of Banarasi Sahani
 3. Binda Sahani Son of late Mahendra Sahani
- All are Resident of Village- Majhar Godiya Tola, P.S. Pakaridayal, District-
East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dhurendra Kumar, Advocate.
For the Opposite Party: Mr. Sucheta Yadav, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 08-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 326, 307, 379, 504,34 of the Indian Penal Code registered in connection with Pakaridayal P.S. Case No. 118 of 2018 corresponding to G.R. No. 4225 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of past dispute. The thrust of accusation of assault is on co-accused Vijay Sahani, and is general and omnibus as regards the petitioners against whom no specific assault has been alleged. The accusation of having taken Rs.5,000/- from the pocket of the informant is merely ornamental in nature. 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 Additional Chief Judicial Magistrate-V, East Champaran at Motihari in connection with Pakaridayal P.S. Case No. 118 of 2018 corresponding to G.R. No. 4225 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 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) 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)

lbrar/

U		T	
---	--	---	--

