

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67498 of 2019

Arising Out of PS. Case No.-357 Year-2019 Thana- GARKHA District- Saran

1. AWADHESH RAM Son of Ganesh Ram Resident of Village - Kadna Uttar, P.S.- Garkha, Distt - Saran.
2. Mukesh Ram @ Mukesh Kumar Ram Son of Ganesh Ram Resident of Village - Kadna Uttar, P.S.- Garkha, Distt - Saran.
3. Rakesh Ram @ Rakesh Kumar Ram @ Rakesh Kumar Ram Son of Ganesh Ram Resident of Village - Kadna Uttar, P.S.- Garkha, Distt - Saran.
4. Jag Jeevan Ram Son of Kailash Ram Resident of Village - Kadna Uttar, P.S.- Garkha, Distt - Saran.
5. Bal Vikash Ram @ Bal Vikash Kumar Ram Son of Jag Jeevan Ram Resident of Village - Kadna Uttar, P.S.- Garkha, Distt - Saran.
6. Manohar Ram Son of Dharm Nath Ram Resident of Village - Kadna Uttar, P.S.- Garkha, Distt - Saran.
7. Sonu Kumar Son of Dharm Nath Ram Resident of Village - Kadna Uttar, P.S.- Garkha, Distt - Saran.
8. Ashutosh Kumar @ Ravi Son of Dharm Nath Ram Resident of Village - Kadna Uttar, P.S.- Garkha, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-11-2019 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, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code, registered in connection with Garkha P.S. Case No. 357 of 2019.



3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties. The accusations are general and omnibus in nature without any specific assault attributed individually. It is submitted that the accusation of knife blow by petitioner no.1 is not corroborated from the injury report which discloses only lacerated one suffered by the informant. The petitioners claim clean antecedents.

4. Learned APP, on the other hand, opposes the petition inviting reference to the injury report which discloses three injuries on the head and the onion has been kept reserved for city brain.

5. Be that as it may, in the event of petitioners' arrest or surrender within four weeks hereof, 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 the like amount each to the satisfaction of Sri Atul Kumar Singh, ACJM-XIV, Saran at Chapra in connection with Garkha P.S.Case No. 357 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.

6. 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 bonds that no grievous injury has been sustained by the informant, conversely their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

HR/-

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

