

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62527 of 2019

Arising Out of PS. Case No.-316 Year-2019 Thana- MAJHAULIA District- West Champaran

1. DHURENDRA MAHTO Son of Bipat Mahto Resident of Village - Bhaluhi, P.S.- Majhauria, Distt - West Champaran.
2. Munni Devi Wife of Dhurendra Mahto Resident of Village - Bhaluhi, P.S.- Majhauria, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 379 and 354/34 of the Indian Penal Code, registered in connection with Majhauria P.S.Case No. 316 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. Petitioner no.1 and the informant's husband are step brothers, between whom Partition Suit No. 200 of 2003 is ongoing. Both sides sustained injuries. The informant has sustained simple injury, while the opinion on



the injury of her husband has been kept reserved.

4. 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 bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Majhauria P.S. Case No. 316 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 petitioner 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) The petitioner no.1 shall remain physically present in court on each and every date during trial and the petitioner no.2 shall be well represented in court on each and every date during trial, except as and when directed by the



learned court below to be physically present 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 bonds that no grievous injury has been caused to the husband of the informant, conversely, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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