

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63861 of 2019

Arising Out of PS. Case No.-131 Year-2019 Thana- SARAI District- Vaishali

1. VISHAL KUMAR Son of Indresh Rai @ Indradew Rai @ Indra Rai @ Indresh Kumar Resident of Village - Inayatpur, Parbodhi, P.S.- Sarai, District - Vaishali
2. Indresh Rai @ Indradew Rai @ Indra Rai @ Indresh Kumar Son of Mahendra Rai Resident of Village - Inayatpur, Parbodhi, P.S.- Sarai, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 341, 323, 324, 354, 307, 504. 506 and 34 of the Indian Penal Code registered in connection with Sarai P.S. Case No. 131 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute during Holi festival. The accusation of assault is general and omnibus in nature. The accusation of assault on the head of the informant with farsa is attributed to co-accused Vikram. There is one injury sustained by the informant on his head which corroborates the accusation of assault attributed to the aforesaid co-accused Vikram. There is delay in lodging of the FIR on 05.04.2019 for the alleged occurrence of 22.03.2019. The petitioners claims 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Vaishali at Hajipur, in connection with Sarai P.S. Case No. 131 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. 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)

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