

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62975 of 2019**

Arising Out of PS. Case No.-11 Year-2018 Thana- ALOULI District-
Khagaria

- =====
1. RAMKARAN RAY Son of Late Ayodhya Ray Resident of Village- Ladaura, LavaniTola, P.S.- Alouli, District- Khagaria.
 2. Lalan Ray Son of Ramkaran Ray Resident of Village- Ladaura, LavaniTola, P.S.- Alouli, District- Khagaria.
 3. Chanda Ray Son of Ramkaran Ray Resident of Village- Ladaura, LavaniTola, P.S.- Alouli, District- Khagaria.
 4. Ranjeet Ray Son of Ramkaran Ray Resident of Village- Ladaura, LavaniTola, P.S.- Alouli, District- Khagaria.
 5. Ram Singh @ Kari Ray Son of RamKaran Ray Resident of Village- Ladaura, LavaniTola, P.S.- Alouli, District- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjeet Kumar Singh, Advocate.
For the Opposite Party: Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-10-2019 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, 448, 307, 34 of the Indian Penal Code registered in connection with Alauli P.S. Case No. 11 of 2018, G.R. No. 106 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of partition dispute as the parties are agnates. The accusations are general and omnibus without any



specific assault attributed individually by them. In any event some of the injuries sustained are stated to be simple in nature while opinion has been reserved in respect of some other injuries sustained by the informant and his parents. There is no final injury report however to show that any of the injuries are grievous in nature.

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 provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 11 of 2018, G.R. No. 106 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

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

(iii) 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.



(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.

5. The provisional 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 informant and his parents; conversely, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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