

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.71630 of 2018

Arising Out of PS. Case No.-63 Year-2017 Thana- JOKIHAT District- Araria

-
1. Ata Hussain, Son of Saidur Rahman @ Md. Saidur Rahman.
 2. Md. Rakib @ Rakibuddin, Son of Jamshed.
 3. Hasim, Son of Late Wahab.
 4. Shamshad, Son of Aulad.
 5. Md. Ayub, Son of Late Najbul
 6. Md. Javed @ Md. Javed Akhtar, Son of Tastadu Hussain @ Md. Tasaduk Hussain,
All resident of Village and P.O. Kakan, P.S.- Jokihat, District- Araria.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. S.B.K. Mangalam,
Mrs. Anita Kumari, Advocates
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 05-02-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 406, 409, 420, 506 and 120(B)/34 of the Indian Penal Code registered in connection with Jokihat P.S. Case No. 63 of 2017.

3. It is submitted that the petitioners have been falsely implicated and the present case is nothing but a counter blast of earlier first information report in Jokihat P.S. Case No. 25 of 2017 in which the present informant has been made accused. The thrust of accusation is against Mukhiya and Panchayat Secretary of the concerned Gram Panchayat and except suspicion, there is no objective material to connect the petitioners with the alleged occurrence. The petitioners claim 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 63 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

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

(iii) 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, thier bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) 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.

BT/Chandran

(Vikash Jain, J)

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

