

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66483 of 2019

Arising Out of PS. Case No.-186 Year-2019 Thana- BENIPATTI District- Madhubani

1. SANT MUKHIYA Son of Late Mangal Mukhiya Resident of Village-Ladaut, P.S-Banipatti, District-Madhubani.
2. Baun Mukhiya Son of Sant Mukhiya Resident of Village-Ladaut, P.S.-Banipatti, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-11-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 354, 353, 34 of the Indian Penal Code registered in connection with Benipatti P.S. Case No. 186 of 2019.

3. It is submitted that the petitioners have been falsely implicated on the accusation of having attacked the informant, who is the Supervisor in the Child Development Project Office, Benipatti, by the family members of Manisha Kumari, one of the applicants for Aanganwari Sevika. It is submitted that the petitioners who are family members of the said co-accused Manisha Kumari protested the wrong selection of one Soni Kumari who had secured less marks than Manisha Kumari, in retaliation of which the present FIR has been lodged. The accusations are general and omnibus in nature against the petitioners. Co-accused Manisha Kumari has instituted Complaint Case No. CR 272/2019 alleging irregularity and demand of bribe in the matter of selection. There is inordinate delay of ten days in institution of the FIR on 21.06.2019 for the alleged occurrence of 11.06.2019. 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM, Benipatti, in connection with Benipatti P.S. Case No. 186 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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