

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75297 of 2019**

Arising Out of PS. Case No.-89 Year-2019 Thana- FESHAR District-
Aurangabad

- =====
1. PRADEEP SAW S/o Ambika Saw Resident of Village- Basdiha Kalan, P.S.- Fesar, District- Aurangabad.
 2. Ajit Saw Son of Ambika Saw Resident of Village- Basdiha Kalan, P.S.- Fesar, District- Aurangabad.
 3. Ambika Saw @ Ambika Son of Late Bithal Saw Resident of Village- Basdiha Kalan, P.S.- Fesar, District- Aurangabad.
 4. Ladu Saw @ Laddoo Saw S/o Brijnandan Saw Resident of Village- Basdiha Kalan, P.S.- Fesar, District- Aurangabad.
 5. Sankar Saw @ Sankar S/o Bhikhar Saw Resident of Village- Basdiha Kalan, P.S.- Fesar, District- Aurangabad.
 6. Laakhu @ Lakhu Saw Son of Radhey Saw Resident of Village- Basdiha Kalan, P.S.- Fesar, District- Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ashok Kumar Singh, Advocate.
For the Opposite Party: Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 149, 323, 325, 307, 504 of the Indian Penal Code registered in connection with Fesar P.S. Case No. 89 of 2019.

3. It is submitted that the petitioners have been falsely implicated in retaliation to an F.I.R. in Fesar P.S Case No. 87 of 2019 lodge by co-accused Sanjay Mishra two days prior to the present F.I.R. It is submitted that specific accusation of assault



has been made against the aforesaid co-accused Sanjay Mishra while the accusation of assault against the petitioners is general and omnibus. There is no injury report to corroborate the accusation of assault. 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 Chief Judicial Magistrate, Aurangabad in connection with Fesar P.S. Case No. 89 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 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.

(Vikash Jain, J)

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