

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74870 of 2019

Arising Out of PS. Case No.-124 Year-2019 Thana- TARABARI District- Araria

1. Shamim Son of Chedi Resident of Village- Sangora Baturbari, Ward No. 18, P.S.- Tarabari, District- Araria.
2. Afjal Son of Saidul Resident of Village- Sangora Baturbari, Ward No. 18, P.S.- Tarabari, District- Araria.
3. Sadrul Son of Yakub Resident of Village- Baturbari, P.S.- Tarabari, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan(APP-156)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in **Tarabari P.S. Case No. 124 of 2019**, registered for the offence punishable under Sections 341, 323, 324, 307, 452, 379, 504, 506 and 34 of the Indian Penal Code.

As per the F.I.R, while the informant was sleeping with his wife along with three children at the Verandah of his house, all the accused persons including these petitioners variously armed entered into his house and started assaulting him and his wife with lathi, Danda and knife and they also took



away cash and other articles from the Almirah. Informant and his wife claimed to have identified the accused persons in the light of electric bulb. It is further alleged that some unknown persons also exploded bomb at the door of informant.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Injuries found on the person of injured to be simple in nature. In fact, some money was taken by the informant from the petitioners and when the same was demanded back, this false case has been lodged against them. Petitioners have got no criminal antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Sub-Divisional Judicial Magistrate, Araria** in connection with **Tarabari P.S. Case No. 124 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-



(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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