

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79668 of 2019**

Arising Out of PS. Case No.-69 Year-2019 Thana- DHOLBAJJA District-
Bhagalpur

- =====
1. CHATURI RAY Son of Late Faudari Ray @ Late Faujdari Roy Resident of Village- Kedwa, Pratapnagar, P.S.- Dholjbajja, Distrcit- Bhagalpur.
 2. Guddu Ray Son of Police Ray @ Police Ray Resident of Village- Kedwa, Pratapnagar, P.S.- Dholbajja, District- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Pankaj Kumar, Advocate.
For the State : Mr. Rajendra Prasad Nat, APP
For the informant : Mr. Binoy Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-12-2019 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, 148, 149, 341, 323, 325, 307, 504 of the Indian Penal Code registered in connection with Dholbajja (Kadwa) P.S. Case No. 69 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute relating to grazing of goat. It is submitted that the accusation of assault against petitioner no. 1 is general and omnibus and no specific injury has been attributed to his assault. Petitioner no. 2 is merely said to have taken away the key of the car in which the injured were taken to hospital but returned the key on request. There is delay in lodging the F.I.R. on 31.08.2019 for the alleged occurrence of 30.08.2019. The petitioners claim clean antecedents.

4. Learned APP assisted by learned counsel for the informant appears and has been heard. Learned counsel for the



informant submits that Manoj Singh has sustained grievous injury on the head and Jairam Singh has sustained grievous injury on his right hand. The informant has also been assaulted by the accused persons.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Naugachia in connection with Dholbajja (Kadwa) P.S. Case No. 69 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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