

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2541 of 2019

Arising Out of PS. Case No.-629 Year-2018 Thana- SAHARSA District- Saharsa

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1. Manoj Swarnkar @ Manoj Kumar Swarnkar, son of Late Shahdeo Swarnkar Resident of Marufgunj, Old Jail, Ward No. 20 P.S. and District- Saharsa, State-Bihar.
 2. Ramesh Swarnkar @ Ramesh Kumar Soni Swarnkar, son of Late Shahdeo Swarnkar Resident of Marufgunj, Old Jail, Ward no. 20 P.S. and District- Saharsa, State- Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-01-2019 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, 307, 504, 506/34 IPC and Section 27 of the Arms Act registered in connection with Saharsa P.S. Case No. 629 of 2018.

3. It is submitted that the petitioners have been falsely implicated in retaliation of an earlier petition filed by the petitioners before the Superintendent of Police, Saharsa on 19.04.2018. There is case and counter case between the parties and there is admitted land dispute. There is no injury report to support the accusation of assault. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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 CJM, Saharsa in connection with aharsa P.S. Case No. 629 of



2018, 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.

Chandran/-

(Vikash Jain, J)

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