

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79751 of 2018

Arising Out of PS. Case No.-446 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

1. Md. Niyaz son of Md. Riyaz
2. Md. Sabbir @ Md. Musabbir Son of Md. Bahab @ Bahab. Both resident of Village- Khiribandh, P.s. jagdishpur, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 144, 342, 386, 152, 353, 337, 338, 333 and 307 IPC registered in connection with Jagdishpur P.S. Case No. 446/2018.

3. It is submitted that the petitioner have been falsely implicated merely because they happen to be the residents of neighborhood and there is no objective material to connect the petitioners with the alleged occurrence. It is submitted that in any event, the injuries are simple in nature. 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, Bhagalpur, in connection with Jagdishpur P.S. Case No. 446/2018, 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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