

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8337 of 2019**

Arising Out of PS. Case No.-237 Year-2018 Thana- HASPURA District-  
Aurangabad

- =====
1. Sunil Mistri aged about 30 years son of Late Kuldeep Mistri,
  2. Anil Mistri aged about 28 years, Son of Late Kuldeep Mistri,
  3. Chandan Mistri aged about 18 years son of Birendra Mistri,
  4. Krishna Mistri aged about 58 years son of Indradeo Mistri,
  5. Birendra Mistri aged about 45 years son of Indradeo Mistri
  6. Bikash Mistri aged about 24 years, son of Krishna Mistri,
  7. Sonu Mistri aged about 22 years son of Surendra Mistri,
- All resident of village- Jaithpur, P.S. Haspura, District- Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioners : Mr. Vinay Mistry, Advocate.

For the Opposite Party: APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      13-02-2019                      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, 323, 325, 308, 504/34 of the Indian Penal Code registered in connection with Haspura P.S. Case No. 237 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the parties are *gotiya* having dispute with respect to moveable and immovable properties. The informant's side wanted to grab the homestead land without partition which led scuffle in which both sides have received injuries. The injuries suffered by the informant's side are all simple in nature. 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 Sub-Divisional Judicial Magistrate, Daudnagar (Aurangabad) in connection with Haspura P.S. Case No. 237 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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) 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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