

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79732 of 2018

Arising Out of PS. Case No.-245 Year-2018 Thana- RAJNAGAR District- Madhubani

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1. Md. Nasim @ Md. Nasib Son of Late Md. Mustakim
 2. Md. Kabir Son of late Murtaja
 3. Md. Rashid Son of Md. Gainu All are residnets of village Gausanagar Gherapatti, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Abhay Kumar - 1

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 147, 148, 149, 447, 341, 323, 324, 307 and 504 IPC registered in connection with Rajnagar P.S. Case No. 245 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between parties. No specific accusation of assault has been made against the petitioner nos. 2 and 3. The accusation of assault attributed to the petitioner no. 1 on the head of the informant with farsa is not corroborated by the injury report, as the injuries are said to have been caused by hard and blunt object. 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 ACJM I, Madhubani/Incharge successor Court in connection with Rajnagar P.S. Case No. 245 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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