

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82625 of 2019

Arising Out of PS. Case No.-234 Year-2019 Thana- BAHADURGANJ District- Kishanganj

1. Jamalo S/o Saidul Resident of Village- Kashibari Ward no. 7, P.S.- Bahadurganj, Distt- Kishanganj.
2. Harun S/o - Saidul Resident of Village- Kashibari Ward No.7, P.S.- Bahadurganj, Distt- Kishanganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioner apprehend their arrest in **Bahadurganj P.S. Case No. 234 of 2019**, registered for the offences punishable under Sections 341, 323, 307, 379, 354(B), 506 and 34 of the Indian Penal Code.

As per prosecution case, on 29.05.2019 at 3.00 p.m. while the informant was taking rest with her children, all the accused persons, named in the F.I.R, variously armed entered into her courtyard and started assaulting her, as a result whereof, she sustained injuries on head, chest, back and hand. They also tried to disrobe her by tearing her clothes and both the



petitioners snatched her ornaments.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners have falsely been implicated in this case. The entire allegation is false and concocted. Scuffle took place between the parties on account of petty dispute. They are next door neighbour. The dispute is purely civil in nature. There is delay of about three months in lodging of F.I.R for which no plausible explanation has been given. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Kishanganj** in connection with **Bahadurganj P.S. Case No. 234 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by



the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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