

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1753 of 2020

Arising Out of PS. Case No.-150 Year-2019 Thana- DERNI BAZAR District- Saran

1. Indu Devi wife of Bindhyachal Tiwary Resident of Village - Thika, Police Station - Derni, District - Saran at Chapra.
2. Bindhyachal Tiwary Son of Late Dukhan Tiwary Resident of Village - Thika, Police Station - Derni, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Binod Singh, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners apprehend their arrest in **Derni P.S.**
Case No. 150 of 2019, registered for the offence punishable
under Sections 341, 323, 448, 307, 504, 379 and 34 of the
Indian Penal Code.

It is submitted that petitioners have falsely been
implicated in this case due to land dispute. There is case and
counter case. Both sides sustained injuries There is general and
omnibus allegation against these petitioners. Injuries have been
found simple in nature. Petitioners have got clean antecedent.

Counsel for the State vehemently opposed the
prayer for bail of the petitioners.



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 **Additional Chief Judicial Magistrate XII, Saran at Chapra** in connection with **Derni P.S. Case No. 150 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 bonds 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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