

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6164 of 2020

Arising Out of PS. Case No.-258 Year-2019 Thana- KOILWAR District- Bhojpur

1. KAMESHWAR RAY Son of Ram Ekbal Ray Resident of Village- Mokhalisa, P.S.- Koelwar, District- Bhojpur.
2. Krishna Ray Son of Ram Ashray Rai Resident of Village- Mokhalisa, P.S.- Koelwar, District- Bhojpur.
3. Harihar Ray Son of Ram Ashray Rai Resident of Village- Mokhalisa, P.S.- Koelwar, District- Bhojpur.
4. Paras Ray Son of Krishna Ray Resident of Village- Mokhalisa, P.S.- Koelwar, District- Bhojpur.
5. Munna Ray Son of Krishna Ray @ Krishna Ray Resident of Village- Mokhalisa, P.S.- Koelwar, District- Bhojpur.
6. Manji Ray Son of Kameshwar Ray Resident of Village- Mokhalisa, P.S.- Koelwar, District- Bhojpur.
7. Dinesh Ray Son of Kameshwar Ray Resident of Village- Mokhalisa, P.S.- Koelwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Ms.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend arrest for the offences alleged under Sections 341, 323, 308, 379, 504, 506, 34 IPC registered in connection with Koelwar P.S. Case No. 258 of 2019.

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 the parties, who are *gotia*. Specific



allegation of assault has been attributed to the petitioner nos. 2 and 6 who are said to have assaulted the informant and Manoj Ram, but it is stated that no grievous injury has been sustained by anyone. Accusation of assault against other petitioners are general and omnibus in nature.

4. Be that it may, in the event of petitioners' arrest or surrender within four weeks hereof let the above named petitioners be released on provisional 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, Bhojpur at Ara in connection with Koelwar P.S. Case No. 258 of 2019, 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.

5. The provisional bail granted to the petitioners shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury has been caused to the informant's side, conversely, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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