

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5998 of 2020**

Arising Out of PS. Case No.-455 Year-2019 Thana- RAHUI District-
Nalanda

- =====
1. DHARMENDRA CHAUDHARY S/o Ram Bilash Chaudhary R/o village-
Punha, P.S.- Rahui, District- Nalanda
 2. Jitendra Chaudhary S/o Ram Bilash Chaudhary R/o village- Punha, P.S.-
Rahui, District- Nalanda
 3. Ram Bilash Chaudhary S/o Late Chandeshwar Chaudhary R/o village-
Punha, P.S.- Rahui, District- Nalanda

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate.

For the Opposite Party/s: Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-02-2020 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, 307, 379, 504, 506/34 of the Indian Penal Code registered in connection with Rahui P.S. Case No. 455 of 2019.

3. It is submitted that the petitioners have been falsely implicated on the accusation of having assaulted the informant on his head with iron rod. The petitioners are father and his two sons who run a grocery shop and have been implicated out of personal vendetta. There is delay of two days in instituting the F.I.R. on 11.12.2019 for the alleged occurrence of 09.12.2019. All the injuries are 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 Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Rahui P.S. Case No. 455 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 of each of the petitioners shall be their close relatives other than petitioners herein.

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

(iii) That 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) That 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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