

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6044 of 2020

Arising Out of PS. Case No.-918 Year-2019 Thana- FORBESGANJ District- Araria

1. MD. MATEEN @ SHAH MATIN S/o - Late Saidul Rahman Resident of Village- Madrganj, P.S.- Simraha, Distt- Araria.
2. Bibi Rehana @ Rehana W/o Md. Mateen @ Shah Matin Resident of Village- Madrganj, P.S.- Simraha, Distt- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Anant Kumar I

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, 325, 354(A), 354(B), 379, 504 and 506/34 of the Indian Penal Code, registered in connection with Forbesganj (Simraha) P.S. Case No. 918 of 2019 (G.R.No. 3510 of 2019).

3. It is submitted that the petitioners have been falsely implicated and the present FIR has been filed in retaliation to the earlier FIR filed by petitioner no.2 against the husband of the informant in Complaint Case No. 2507C/2016 in which cognizance was taken on 11.07.2019. The present FIR has been



filed soon thereafter on 22.09.2019. There is delay in lodging the FIR on 22.09.2019 for the alleged occurrence of 20.09.2019. Petitioner no.1 is accused in one prior complaint case in which he is on bail while petitioner no.2 claims clean antecedents.

4. Be that as it may, in the event of petitioners' arrest or surrender before 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 bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Forbesganj P.S. Case No. 918 of 2019 (G.R.No. 3510 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) That the petitioner no.1 shall remain physically



present in Court on each and every date during trial and the petitioner no.2 shall be well represented in court on each and every date during trial, except as and when directed by the learned court below to be physically present 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)

HR/-

U		T	
---	--	---	--

