

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45968 of 2015

Arising Out of PS.Case No. -20 Year- 2014 Thana -SC/ST District- JAMUI

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Jagdish Ram, Son of Munshi Ram, Resident of Village- Sethna, P.S. Halsi,
District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 02-11-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 337, 504/34 of the Indian Penal Code and Section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act and that the petitioner admittedly having some boundary dispute, his implication for the alleged offence can be very well said to be out of grudge that the prosecution party was having. As a matter of fact, the delayed filing of the complaint after two days of the occurrence and the fact that the petitioner has also got no criminal antecedent are some other factors which would weigh on this Court in granting the privilege of anticipatory bail to the petitioner.

That being so, if the petitioner, namely, Jagdish Ram surrenders before the court below within a period of four weeks



from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Jamui in connection with Jamui SC/ST P.S. Case No. 20 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

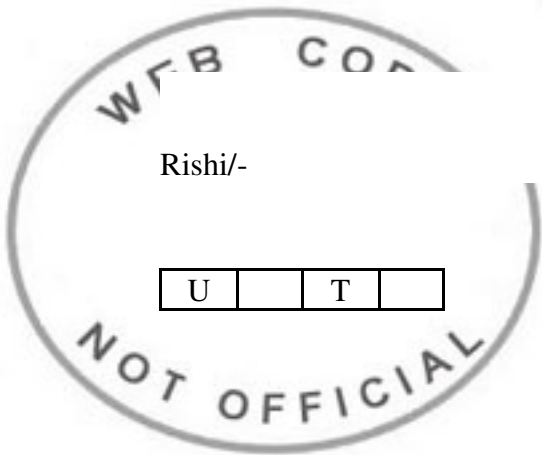
(i) That both the bailors will be a close relative of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.

(iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this

ground alone.



(Mihir Kumar Jha, J)