

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8378 of 2016

Arising Out of PS.Case No. -38 Year- 2015 Thana -SAMHO District- BEGUSARAI
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Rajesh Kumar @ Bittu son of Ajay Singh R/o Village- Samho Sarlahi,
P.S- Samho, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate
Mr. Chandan Kumar Kashyap, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 07-09-2016 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 147, 149, 341, 323, 384, 427, 504 and 506
of the Indian Penal Code registered in connection with Samho P.S.
Case No. 38 of 2015.

3. It is submitted that the petitioner has been falsely
implicated as the petitioner being Director of the Company M/s
Ekta Raj Construction & Service Pvt. Ltd. was entrusted with
construction of road in terms of agreement dated 31.03.2015
(Annexure-2). The land of the informant was situated by the side
of the road under construction and the informant has merely tried
to put up hindrance owing to village politics. The F.I.R. has been
instituted after inordinate delay of almost one month on
26.12.2015 for the alleged occurrence of 28.11.2015.

4. Having regard to the entirety of the facts and
circumstances of the case, the provisional anticipatory bail granted
to the petitioner by order dated 19.04.2016 by this Court in
connection with Samho P.S. Case No. 38 of 2015 pending in the

Court of learned Sub-Divisional Judicial Magistrate, Begusarai is hereby confirmed with the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iii) The petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/BT

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