

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5390 of 2017

Arising Out of PS.Case No. -58 Year- 2015 Thana -PAKARIBARAW District- NAWADA

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Mukesh Chaudhary, Son of Gano Chaudhary, Resident of Village-
Keshochak, Police Station- Pakribarawan, District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Najmul Hoda, Adv

For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 07-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 10.11.2016 in connection with Pakribarawan P.S. Case No. 58 of 2015 for the alleged offences under Sections 147, 148, 149, 323, 324, 307, 353, and 427 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated which is evident from perusal of the order of the learned Sessions Judge which discloses that the injury said to have been sustained by the informant were all caused by hard and blunt substance whereas according to the allegations in the FIR the petitioner is said to have been assaulted the informant with a sharp edged '*fasuli*'. It is also evident that the petitioner was not treated in a Government hospital and the discharge summary was given by Nidan Hospital and Trauma Centre Pvt. Ltd., Patna. The other co-accused persons named in the FIR have been granted anticipatory bail by this Court.

4. Having regard to the entirety of the facts and



circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Nawada in connection with Pakribarawan P.S. Case No. 58 of 2015 on the following conditions -

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

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

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, 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.

(iv) That 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.

Chandran/BT

(Vikash Jain, J)

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