

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52954 of 2018

Arising Out of PS.Case No. -323 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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Domi Sah @ Domi Kumar, son of Hiro Sah, Resident of village - Garhia,
P.S.- Tribeniganj, District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar, Advocate

For the Opposite Party: Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 448, 323, 307 and 504/34 of the Indian Penal Code registered in connection with Tribeniganj P.S. Case No. 323 of 2017.

3. It is submitted that the petitioner has been falsely implicated as there is case and counter case between the parties in the backdrop of land dispute. The allegation of assault by spade (Kudal) on the head and finger of the informant is not supported from the injury report. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten



thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Supaul, in connection with Tribeniganj P.S. Case No. 323 of 2017, 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 petitioner.

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

(iii) 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.

(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.

(Vikash Jain, J)

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