

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52832 of 2018

Arising Out of PS.Case No. -243 Year- 2017 Thana -KHARIK District- BHAGALPUR

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Gurudeo Mandal, son of Bhaso Mandal alias Basudeo Mandal, resident
of village - Kharik Bazar, Patra Tola, P.S. - Kharik, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amrendra Kumar, Advocate
For the Opposite Party: 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 341, 324, 325, 326, 307, 387, 504 and 506/34 of the Indian Penal Code registered in connection with Kharik P.S. Case No. 243 of 2017.

3. It is submitted that the petitioner has been falsely implicated and there is no material to show that there was any injury on the head of the informant as alleged. The first information report has been instituted in the backdrop of land dispute between the parties over flowing water in the drain as the parties happen to be the neighbour. There is considerable delay in lodging the complaint on 24.08.2017 for the alleged occurrence of 04.08.2017. 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-II, Naugachia, Bhagalpur in connection with Kharik P.S. Case No. 243 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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