

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56641 of 2018

Arising Out of PS.Case No. -73 Year- 2017 Thana -CHAKAI District- JAMUI

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Nepal Sah S/o Jatar Sah resident of village - Simaria, Police Station -
Chakai, District - Jamui.

.... 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 28-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 147, 148, 149, 341, 323, 307/504 of the
Indian Penal Code registered in connection with Chakai P.S. Case
No. 73 of 2017.

3. It is submitted that the petitioner has been falsely
implicated and there is case and counter case between the parties
in the backdrop of land dispute. There is no injury report to
support the allegation of assault by the petitioner on Tilak Sah. On
the contrary, the petitioner himself has suffered head injury. The
petitioner claims clean antecedents.

4. Be that as it may, 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 bond of



Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 3rd, Jamui in connection with Chakai P.S. Case No. 73 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, 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) 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/-

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