

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3642 of 2019

Arising Out of PS. Case No.-138 Year-2016 Thana- BELDOUR District-
Khagaria

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Mithilesh Kumar Nishad age-48 years (male) son of Suresh Mukhiya,
resident of village- Tilathi, Ward No.- 3, P.O./P.S.- Beldaur, District-
Khagaria.

... .. Petitioner

Versus

The State Of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Chandra, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 353/34 of the Indian Penal Code
registered in connection with Beldaur P.S. Case No. 138 of 2016.

3. It is submitted that the petitioner has been falsely
implicated and in any event the only accusation is of blocking the
road along with several other villagers for purposes of
electrification of the village. No accusation has been made with
respect to damage of public property or of assault of any of the
officials.

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 Simmi Kujoor, learned Judicial Magistrate Ist Class, Khagaria in connection with Beldaur P.S. Case No. 138 of 2016, 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)

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