

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9055 of 2019

Arising Out of PS. Case No.-84 Year-2018 Thana- JAMOBABAZAR District- Siwan

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LAXMI PRASAD Son of Late Bindeshwari Prasad Resident of
Jagarnathpur,P.S. Jamo Bazar, Dist. Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 307,380,427,504/506 IPC registered in connection with Jamo Bazar P.S. Case No. 84/2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of civil dispute between the parties and for which T.S. No. 261/2018 has been filed by the petitioner against the informant and others. The parties are patidars and the FIR has been instituted against as many as 25 persons including the petitioner. The accusation of assault are general and omnibus in nature and the injury report shows lacerated wound caused by hard blunt substance and does not corroborate with the accusation that the petitioner was holding a tangi (sharp cutting instrument). The petitioner has been made accused in one prior case instituted by the daughter-in-law of the informant and in which he is on police bail.

4. Be that as it may, 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 ACJM 13, Siwan, in connection with Jamo Bazar P.S. Case No. 84/2018, 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. That the petitioner shall co-operate 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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