

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14676 of 2019**

Arising Out of PS. Case No.-47 Year-2016 Thana- PAROO District- Muzaffarpur

SHYAMBABU RAI Son of Harinandan Rai Resident of Village- Sarmastpur,
P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 13-03-2019 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, 326, 447, 307, 302, 504 and 506 IPC registered in connection with Paroo P.S. Case No. 47/2016.

3. It is submitted that the petitioner has been falsely implicated and the petitioner has not been named in the FIR. His name has transpired subsequently in course of investigation on the statement of one of the witnesses, according to which the petitioner was allegedly present at the place of occurrence. The petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned ACJM III, Muzaffarpur West in connection with Paroo P.S. Case No. 47/2016 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) 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.

5. The provisional bail shall be confirmed on verification from the case diary that no overt act of assault has been alleged against the petitioner.

(Vikash Jain, J)

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