

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15059 of 2019

Arising Out of PS. Case No.-185 Year-2018 Thana- CHAUSA District- Madhepura

Sushil Poddar, aged about 30 years, Gender Male, S/o Shankar Poddar,
Resident of Village-Chirauri, P.S.-Chausa, District-Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Yadav, Advocate
For the Opposite Party : APP

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 341, 323, 354, 379, 307, 504, and 506/34 of the Indian Penal Code and Section 3/4 of the Witchcraft Act registered in connection with Chausa P.S. Case No. 185 of 2018.

3. It is submitted that the petitioner has been falsely implicated and there is case and counter case between the parties relating to the land dispute. The accusation of assault is general and omnibus without any specific assault attributed individually. Injuries resulting from the assault alleged against the petitioner are simple in nature.

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 Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Chausa P.S. Case No. 185 of 2018, subject to the



conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) That 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.

5. The provisional bail granted to the petitioner shall stand confirmed upon verification by learned court below that the injuries sustained by the informant's father-in-law attributed to the assault by the petitioner are simple in nature. In case the petitioner's claim fails upon verification, his bail bonds shall stand automatically cancelled.

BT/-

(Vikash Jain, J)

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