

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15057 of 2019

Arising Out of PS. Case No.-279 Year-2018 Thana- MIRGANJ District- Gopalganj

PRINCE KUMAR @PRINCE KUMAR GUPTA @PRINCE Son of Bhola
Kumar @ Bhola Kumar Sah @ Bhola Prasad Resident of - Opposite
Barambaba Mirganj Ward No. 9, P.S.- Mirganj, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh
For the Informant : Mr. Jitendra Kumar Singh,
For the Opposite Party/s : Ms.Madhuri Lata,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-03-2019 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, 379, 354, 324, 307 IPC registered in
connection with Mirganj P.S. Case No. 279 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute and the present FIR has
been filed in retaliation to earlier Mirganj P.S. Case No. 255 of 2018
filed by the petitioner against the informant's side. The petitioner is
alleged to have assaulted the informant's brother with iron rod on leg,
which is a non-vital part of the body and the injuries are simple in
nature. The petitioner claims clean antecedents.

4. In the meantime, 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 Additional Chief Judicial Magistrate XVI, Gopalganj in connection with Mirganj P.S. Case No. 279 of 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.

6. The provisional bail shall be confirmed upon verification from the injury reports that the injuries if any, on informant's brother are not grievous in nature.

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(Vikash Jain, J)

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