

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22717 of 2019

Arising Out of PS. Case No.-736 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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SUNIL KUMAR SRIVASTAV @ SUNIL SRIVASTAV @ SUNIL KR. Son of
Badri Lal Srivastav Resident of Village - Karmnar, P.S.- Kejuri, District -
Balliya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Ms.Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-04-2019 Heard learned counsel for the petitioner and learned APP for the
State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 414/279/337/338/34 IPC and 11(a)(d)(c)(i) of the P.E. Act, 1960 and Section 48/47(a)/49/50/52/54(A) of the T.E. Act, 1978 registered in connection with Kanti Panapur O.P. P.S. Case No. 736 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because he is said to be the driver of the truck. The petitioner is not named in the FIR. His name has surfaced on the extra judicial confessional statement of Santosh Kumar, khalasi of the truck and except which there is no other material to connect the petitioner with the alleged occurrence. It is submitted that in any event there is no accusation of cruelty to the animals. The petitioner claims clean antecedents.

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 SDJM West, Muzaffarpur, in connection with Kanti Panapur O.P. P.S. Case No. 736 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.

(Vikash Jain, J)

Chandran/-

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