

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22043 of 2019

Arising Out of PS. Case No.-523 Year-2018 Thana- JAKKANPUR District- Patna

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Brijesh Kumar Modi @ Birju Modi @ Birju, aged about 32 Years (Male) S/o
Shankar Modi @ Shankar Manjhi R/o- Village- Dhelwan, P.S.- Ram Krishna
Nagar, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr.Ajay Kr Singh No.1, Advocate
For the State	:	APP
For the Informant	:	Mr. Arvind Kr. Jha, Advocate

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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 143, 341, 323, 379, 467, 468, 471 and 320/34 of the Indian Penal Code registered in connection with Jakkanpur P.S. Case No. 523 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the accusations are general and omnibus without any assault being attributed individually. The first information report has been instituted owing to business dispute between the parties. No ingredients of the offence as alleged in the FIR are made out against the petitioner. Similarly situated accused persons, namely, Prem Kumar Chaudhary and Suresh Prasad have been granted anticipatory bail by this Court vide orders dated 02.04.2019 and 03.04.2019 passed in Cr. Misc. No. 20138 of 2019 and Cr. Misc. No. 20585 of 2019, respectively. 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 Chief Judicial Magistrate, Patna in connection with Jakkanpur P.S. Case No. 523 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.

BT/-

(Vikash Jain, J)

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