

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20315 of 2019**

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

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VISHAL KUMAR, aged about 19 years, male, Son of Kashi Sah Resident of
Village - Mirganj, Ward No. 9, Infront of Brahm Baba, P.S.- Mirganj,
District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dhramveer, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

5 16-07-2019 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 of the Indian
Penal Code 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 F.I.R.
has been filed in retaliation to earlier Mirganj P.S. Case No. 255 of
2018. The petitioner is alleged to have assaulted the informant's
sister on the head with knife and misbehaved with her but no
injury has been sustained by her but the accusations are not
corroborated and there is no injury report available on record.
Other co-accused Prince Kumar @ Prince Kumar Gupta @ Prince
has been granted anticipatory bail by this Court in Cr. Misc. No.
15057 of 2019. The petitioner claims clean antecedents.

4. Learned APP refers to the case diary but submits



that there is no injury report of the informant's sister.

5. 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, 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 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.

(iv) 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.

(Vikash Jain, J)

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