

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22724 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- PHULWARISHARIF District- Patna

Abhish Kumar @ Amish Yadav @ Abhish Yadav, aged about 24 Years (Male),
Son of Suresh Prasad @ Suresh Yadav Resident of Village - Ranipur, P.S.-
Phulwarisharif, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rudal Prasad, Advocate
For the State : APP

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 147, 148, 149, 323, 307, 353, 124A, 506 and 427 of the Indian Penal Code registered in connection with Phulwarisharif P.S. Case No. 06 of 2019.

3. It is submitted that the petitioner has been falsely implicated and the first information report is against as many as 42 named persons and 200 unknown persons. The accusations are general and omnibus in nature and no specific overt act of assault has been alleged against the petitioner. Similarly situated accused persons, namely, Rajesh Kumar @ Rajesh Yadav and Sandip Kumar @ Sandeep Yadav; and Shrawan Mahto, Gonu Yadav @ Gonu Kumar, Bittu, Abhi Kumar @ Chhotu have been granted anticipatory bail by this Court vide orders dated 06.03.2019 and 15.03.2019 passed in Cr. Misc. No. 13753 of 2019 and Cr. Misc. No. 16170 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 Additional Chief Judicial Magistrate-XV, Patna in connection with Phulwarisharif P.S. Case No. 06 of 2019, 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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