

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28296 of 2019

Arising Out of PS. Case No.-164 Year-2015 Thana- BATHNAHA District- Sitamarhi

PAPPU KHAN @ AKHATAR RAJA KHAN Son of Md. Kasim Khan @ Kasim Khan, Resident of Village-Kamaldah, P.S-Bathnaha, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Ms.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-05-2019 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, 341, 332, 504, 506, 313, 511 IPC registered in connection with Bathnaha P.S. Case No. 164/2015.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute and in any event the thrust of accusation is against co-accused Kasim Khan who is said to have caused injury by assault with rod on the informant's *dewar* and also caught hold the informant's hair and pushed her on the ground causing miscarriage. The accusation against the petitioner is general and omnibus in nature. 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 CJM, Sitamarhi, in connection with Bathnaha P.S. Case No. 164/2015, 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)

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