

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70621 of 2018

Arising Out of PS. Case No.-426 Year-2018 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Jay Prakash Sah S/o Late Gopal Sao, Resident of Near S.N. Sinha College,
Muhalla- Sahbajpur, P.S.- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

1. State of Bihar
2. Munna Prasad, son of Late Nanhak Sao, Resident of Muhalla- Panch Mahla,
Gilan Par, P.S.- Jehanabad, District- Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 323, 504, 379, 386 IPC and Section 27 of
the Arms Act registered in connection with Complaint Case No.
426 of 2018.

3. It is submitted that the petitioner has been falsely
implicated as he happens to be the pairvikar of Binod Kumar,
whose daughter has lodged cases against the complainant under
Sections 498A and 307 IPC. The petitioner has also deposed in
Matrimonial Case No. 24/2017 against the complainant. The
petitioner claims clean antecedents.

4. Learned counsel for the complainant appearing *suo motu*
opposes the anticipatory bail petition and has filed counter
affidavit. However, the stand of the petitioner in paras 7 and 8 of
the anticipatory bail petition has not specifically been denied in
the counter affidavit.



4. Be that as it may, having regard to the entirety of the facts and circumstances, 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, Jehanabad, in connection with Complaint Case No. 426 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) 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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