

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70508 of 2018

Arising Out of PS. Case No.-210 Year-2018 Thana- ARA MUFFSIL District-
Bhojpur

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Sudhir Kumar @ Sudhir Mahto Son of Kailas Mahto @ Kailas Pati Singh
Resident of Village +P.O.-Jamira, Police Station-Ara Muffasil, Distt.-
Bhojpur

... .. Petitioner

Versus

The State Of Bihar

... .. Respondent

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Appearance :

For the Petitioner : Mr. Rajiva Ranjan, Advocate.

For the Respondent: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 147, 148, 323, 307, 504 of the Indian
Penal Code registered in connection with Ara Muffasil P.S. Case
No. 210 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in connection with a dispute in which both sides have
received injuries. The petitioner's side has also filed a complaint
in respect of the alleged occurrence in which the petitioner has
also sustained injury. The injury on the informant's head is
simple in nature caused by blunt substance (Annexure-3) and
thus does not support the accusation of assault by *farsha*. The
petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, 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, Bhojpur, Ara in connection with Ara Muffasil P.S. Case No. 210 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 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) 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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