

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23259 of 2019**

Arising Out of PS. Case No.-146 Year-2018 Thana- AGIAON BAZAR
District- Bhojpur

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SURENDRA RAI, male, aged about 76 years, Son of Late Raghunath Rai
Resident of Village - Doman Dihara, P.S.- Agiwan Bazar, District - Bhojpur
(Ara).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Hari Shankar Roy, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2019 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, 341, 323, 307, 109 and 506
of the Indian Penal Code registered in connection with Agiawn
Bazar P.S. Case No. 146 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute. The accusation of
single assault by the petitioner on the head of the brother of the
informant is not supported by the injury report which discloses
three injuries which in any event are all simple 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 Additional Chief Judicial Magistrate, Ara in connection with Agiawn Bazar P.S. Case No. 146 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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