

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23120 of 2019

Arising Out of PS. Case No.-344 Year-2018 Thana- RUPASPUR District- Patna

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JOSHI @ JOSHI KUMAR Son of Shashibhushan Sharma, Resident of
Mohalla-Machhali Gali, P.O- , P.S-Shashtrinagar, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanchay Srivastava

For the Opposite Party/s : Mr.Narendra Kumar Singh

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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 326,307 and 34 IPC registered in connection with Rupaspur P.S. Case No. 344 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of petty dispute and in any event there is no overt act of assault alleged against the petitioner whatsoever. There is no injury attributed to the petitioner. Similarly situated co-accused have been granted anticipatory bail by this Court in Cr. Misc. No. 70972 of 2018. The petitioner is accused in two prior cases, in which he is on bail.

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 ACJM II, Danapur, in connection with Rupaspur P.S. Case No. 344 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 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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