

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20542 of 2019

Arising Out of PS. Case No.-57 Year-2017 Thana- NIMACHANDPURA District- Begusarai

Rahul Kumar, aged about 23 years, Male, Son of Ram Bilas Rai, Resident of
Village- Rachiyahi, P.S.- Muffasil (Singhaul O.P.), District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ram Sumiran Rai, Advocate
For the Opposite Party : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302 and 379/34 of the Indian Penal Code registered in connection with Nima Chandrapura P.S. Case No. 57 of 2017.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion except which there is no material to connect him with the alleged occurrence. Similarly situated co-accused Manish Kumar has been granted bail by learned Additional Sessions Judge-1, Begusarai itself vide order dated 16.11.2018 passed in ABA No. 2140 of 2018. Co-accused Bappi Kumar has also been granted anticipatory bail by a coordinate Bench of this Court vide order dated 21.05.2018 passed in Cr. Misc. No. 23939 of 2018. 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 VII, Begusarai in connection with Nima Chandrapura P.S. Case No. 57 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) 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.

BT/-

(Vikash Jain, J)

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