

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24369 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- MUSAHARI District- Muzaffarpur

Amrendra Kumar @ Chintu, Gender-Male, Aged about 24 years, S/O
Harendra Kumar @ Bablu @ Badlu @ Harendra Kumar Sharma, Resident of
Village- Markan, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323 and 307/34 of the Indian Penal Code
registered in connection with Mushahari P.S. Case No. 11 of 2019.

3. It is submitted that the petitioner has been falsely
implicated only due to village politics. There is inordinate delay in
instituting the first information report on 09.01.2019 for the alleged
occurrence of 03.01.2019. In any event, even on bare perusal of the
FIR, no allegation of assault whatsoever has been made against the
petitioner. There is no injury report on record to show any injury. No
motive has been assigned for implicating the petitioner, who 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
Sub Judge-6 cum-Additional Chief Judicial Magistrate, Muzaffarpur



in connection with Mushahari P.S. Case No. 11 of 2019, 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.

(Vikash Jain, J)

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