

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26302 of 2019**

Arising Out of PS. Case No.-74 Year-2018 Thana- ALIPUR District- Gaya
=====

BUTTU @ BITTU @ KAUSHAL KUMAR, aged about 25 years, male, Son of
Satyanand Singh @ Jhulan Singh Resident of Village- Makhdumpur, P.S.-
Alipur, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party
=====

Appearance :

For the Petitioners : Mr. Surendra Kumar Mishra, Advocate.

For the Opposite Party: APP
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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 23-04-2019 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, 307, 379/34 of the Indian Penal
Code registered in connection with Alipur P.S. Case No. 74 of
2018.

3. It is submitted that the petitioner has been falsely
implicated and there is delay in institution of the F.I.R. on
26.08.2018 for the alleged occurrence of 25.08.2018. In any event
the injury sustained by the informant is simple in nature. It is
pointed out that the informant has been sent by the police for
medical examination on 26.08.2018 and the injury report
addressed to the Officer in-charge is dated day prior i.e. on
25.08.2018. 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-II, Gaya in connection with Alipur P.S. Case No. 74 of 2018, G.R. No. 5767 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)

Ibrar/Chandran

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