

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22869 of 2019**

Arising Out of PS. Case No.-209 Year-2018 Thana- SULTANGANJ District-
Bhagalpur

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Sikku Yadav @ Sudhanshu Kumar, aged about 18 years, Son of Anil Yadav
Resident of Village - Gopal Road, Bisharisthan, P.s.- Sultanganj, Distt.-
Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2019 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, 504 and 34 of the Indian
Penal Code registered in connection with Sultanganj P.S. Case No.
209 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of past enmity and in any event no
grievous injuries has resulted from the assault attributed to the
petitioner. There is considerable delay in institution of F.I.R. on
30.08.2018 for the alleged occurrence of 23.08.2018. 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 provisional 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 1st, Bhagalpur in connection with Sultanganj P.S. Case No. 209 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.

5. The provisional bail shall be confirmed upon verification that the injuries sustained by the informant are not grievous in nature. In case the same is found to be grievous, the provisional bail shall stand automatically cancelled.

(Vikash Jain, J)

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