

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23328 of 2019**

Arising Out of PS. Case No.-416 Year-2018 Thana- BUDDHACOLONY
District- Patna

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SUJEET MUKHIYA @ SUJEET RAI @ SUJIT RAY, aged about 38 years, male,
son of Ganga Rai, resident of Mohalla- Uttari Mandiri, P.O. G.P.O., P.S.
Budha Colony (Phulwari), District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ashutosh Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 147, 148, 149, 341, 323, 307, 504, 506 of
the Indian Penal Code and Section 27 of the Arms Act registered
in connection with Budha Colony P.S. Case No. 416 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of firing upon informant but missed
and thereafter the petitioner assaulted the informant on his head
with iron rod. There is no injury report on record to corroborate
the accusation of assault by the petitioner. 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 Sessions Judge-VIII, Patna in connection with Budha Colony P.S. Case No. 416 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 informant has not sustained any grievous injury. In case grievous injuries is found, the provisional bail shall stand automatically cancelled.

(Vikash Jain, J)

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