

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23965 of 2019

Arising Out of PS. Case No.-216 Year-2018 Thana- CHAUTHAM District- Khagaria

MD. TAWARAK SAH Son of Md. Idrish Sah Resident of Village- Farreh,
Ward No. 11, P.S.- Choutham, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-04-2019 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, 325, 308, 379, 506/34 IPC registered in connection with Choutham P.S. Case No. 216/2018.

3. It is submitted that the petitioner has been falsely implicated in connection with petty dispute between the parties. There is one day delay in institution of the FIR on 04.11.2018 for the alleged occurrence of 03.11.2018. The accusation of assault by the petitioner has not been corroborate by the injury report which, in any event discloses injuries of simple nature. 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 J.M.Ist Class, Khagaria in connection with Choutham P.S. Case No. 216/2018 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 co-operate 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. 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)

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