

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23733 of 2019**

Arising Out of PS. Case No.-69 Year-2015 Thana- BARHIYA District-
Lakhisarai

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SHIVAM KUMAR, aged about 20 years, male, Son of Bipin Singh Resident
of Village - Jaitpur, P.S.- Barahia, Distt - Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mrigendra Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 354, 342, 448, 323/34 of the Indian Penal
Code and Section 27 of the Arms Act registered in connection
with Barahia P.S. Case No. 69 of 2015.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of previous enmity and village
politics. The petitioner is a student and has qualified for RRB
examination in the Electrician Trade. A statement is made at the
Bar that there is no injury report to support the accusation that
the accused persons who are armed with lathi and pistols and
that the petitioner assaulted the informant and Aman Kumar
with butt of pistol and lathi and also made firing. 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 Chief Judicial Magistrate, Lakhisarai in connection with Barahia P.S. Case No. 69 of 2015, 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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