

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27846 of 2019

Arising Out of PS. Case No.-99 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Prince Kumar, male, age about 30 years, Son of Ramanuj Singh Resident of
Village- Maheshwara, P.S.- Nawkothi, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-04-2019 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, 342, 323, 307, 427, 504, 506, 379 and 34
of the Indian Penal Code registered in connection with Nawakothi
P.S. Case No. 99 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of past enmity between the parties. The
petitioner instituted an FIR in Nawkothi P.S. Case No. 98 of 2018 on
22.09.2018 against the informant's side for the alleged murder of his
brother in retaliation to which the present FIR has been instituted
after almost ten days on 01.10.2018. The accusations of assault are
general and omnibus in nature without specific assault attributed to
the petitioner. As such, one of the injuries sustained by the informant
said to be grievous in nature cannot be said to be attributed to the
petitioner, who 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 Mr. Raghuvir Prasad, learned Judicial Magistrate, 1st Class, Begusarai in connection with Nawakothi P.S. Case No. 99 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) 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.

BT/-

(Vikash Jain, J)

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