

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29987 of 2019

Arising Out of PS. Case No.-989 Year-2018 Thana- SONEPUR District- Saran

Bijendra Ray, aged about 50 years, male, S/o- Late Yadunandan Ray, Resident of Village- Gobindchak, P.S.- Sonpur, District - Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Udai Shankar Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 01-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 504, 323, 341, 506 and 316/34 of the Indian Penal Code registered in connection with Sonapur P.S. Case No. 989 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having assaulted the pregnant daughter-in-law of the complainant/informant causing miscarriage. It is submitted that there is land dispute between the parties in respect of which a complaint had earlier been filed by co-accused Rudal Rai, younger brother of the petitioner, on the accusation of grabbing of the land. No injury has been found on the informant's daughter-in-law to corroborate the accusation of assault. The aforesaid co-accused Rudal Ray against whom similar accusation has been made, has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 04.07.2019 passed in Cr. Misc. No. 26011 of 2019. 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 Additional Chief Judicial Magistrate 1st, Saran at Chapra in connection with Sonepur P.S. Case No. 989 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.

(Vikash Jain, J)

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