

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29861 of 2019**

Arising Out of PS. Case No.-444 Year-2018 Thana- KADAMKUAN District-
Patna

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SAINTEY DIXHIT, male, aged about 26 years, Son of Sri Umesh Kumar
Dixhit Resident of Mohalla- Kajipur, Police Station- Kadam Kuan, District
and Town- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Sharma, Advocate.

For the Opposite Party: APP

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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 307, 323, 325, 341, 379/34 of the Indian
Penal Code registered in connection with Kadam Kuan P.S. Case
No. 444 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of an earlier F.I.R. vide Kadam Kuan
P.S. Case No. 440 of 2018 was against the brother of the present
informant under the provisions of the Bihar Prohibition and
Excise Act. The accusation of assault is upon other co-accused
persons and not against the present petitioner. There is delay in
instituting the F.I.R. on 31.07.2018 for the alleged occurrence of
29.07.2018. There is also no material to indicate that the injuries
are grievous in nature.

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-VII, Patna in connection with Kadam Kuan P.S. Case No. 444 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.

(Vikash Jain, J)

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