

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30137 of 2019

Arising Out of PS. Case No.-85 Year-2017 Thana- CHENARI District- Rohtas

Ram Ashis Bind, aged about 65 years, Male, Son of Late Ram Janam Bind
Resident of Village- Dewdihi, P.S.- Chenari, District- Rohtas at Sasaram.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Yogendra Kumar, Advocate
For the Opposite Party : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 188 and 379/34 of the Indian Penal Code registered in connection with Chenari P.S. Case No. 85 of 2017.

3. It is submitted that the petitioner has been falsely implicated in what at best constitutes a technical violation of the order passed under Section 146(1) of the Code of Criminal Procedure. It is submitted that the land in question from which crops have been harvested belongs to the petitioner and Title Suit No. 882 of 2015 filed by the informant's side has been dismissed in terms of the judgment dated 04.08.2018 by learned Sub-Judge XIV, Rohtas at Sasaram. It is further submitted that the petitioner himself had planted the crops on the land with respect to which the proceeding under Section 145 of the Cr.P.C. had been initiated. 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, Sasaram (Rohtas) in connection with Chenari P.S. Case No. 85 of 2017, 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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