

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70450 of 2018

Arising Out of PS. Case No.-135 Year-2018 Thana- SIRDALA District-
Nawada

- =====
1. Shyamdeo Rajbanshi Son of Late Banwari Rajbanshi.
 2. Ajay Rajbanshi, Son of Shyamdeo Rajbanshi.
 3. Sudhir Rajbanshi, Son of Shyamdeo Rajbanshi.
 4. Umesh Rajbanshi, Son of Late Govind Rajbanshi.
 5. Vikash Rajbanshi, Son of Umesh Rajbanshi.
 6. Kuldeep Rajbanshi, Son of Late Govind Rajbanshi.
 7. Kamlesh Rajbanshi, Son of Sowaran Rajbanshi
- All are resident of Village- Laund Tola Durgapur, P.S.- Sirdala, District-
Nawada.

... .. Petitioner

Versus

The State Of Bihar

... .. Respondent

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Appearance :

For the Petitioner : Mr. Hansraj, Advocate.

For the Respondent: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 147, 148, 149, 341, 323, 353, 379, 511,
504 and 506 of the Indian Penal Code registered in connection
with Sirdala P.S. Case No. 135 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute. The present F.I.R. has
been instituted as counter blast of an earlier F.I.R. in Sirdala P.S.
Case No. 45 of 2018 and Sirdala P.S. Case No. 111 of 2018 in
which petitioner no. 1 is the informant. There is no injury report
to corroborate the accusation of assault by the petitioner.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, 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-V, Nawada in connection with Sirdala P.S. Case No. 135 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) 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) 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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