

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32174 of 2019

Arising Out of PS. Case No.-269 Year-2018 Thana- BARURAJ District- Muzaffarpur

Sudhanshu Kumar (Male), aged about 21 years, Son of Sri Bhagwan Singh
Resident of Village - Bairiya, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. S.B.K. Manglam, Mrs. Anita Kumari, Advocates
For the Opposite Party	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 307 and 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Baruraj P.S. Case No. 269 of 2018.

3. It is submitted that the petitioner, who is not named in the FIR, has been falsely implicated and his name has surfaced merely on the basis of the confessional statement of the so-called victim, who has in fact suffered no injury whatsoever. There is delay of four days in instituting the FIR on 27.10.2018 for the alleged occurrence of 23.10.2018. The petitioner has been made accused in one other case lodged after institution of the present case.

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 Mrs. Preeti Kumari, learned Judicial Magistrate , 1st Class, Muzaffarpur in



connection with Baruraj P.S. Case No. 269 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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