

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31842 of 2019

Arising Out of PS. Case No.-230 Year-2018 Thana- RIVILGANJ District- Saran

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Ganpat Sah @ Ganpat Prasad Gupta, aged about 45 years, Male, Son of Late Ram Naresh Sah, Resident of Village - Enai, P.S.- Rivilganj, District- Saran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Harish Kumar, Advocate
For the Opposite Party : APP

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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 147, 149, 342, 452, 307 and 379 of the Indian Penal Code registered in connection with Rivilganj P.S. Case No. 230 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute. The accusation of assault is general and omnibus without any specific assault attributed to the petitioner. The injuries sustained by the informant's son are simple in nature. Similarly situated co-accused, namely, Indu Devi has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 28.03.2019 passed in Cr. Misc. No. 5668 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-VIII, Chapra, Saran in connection with Rivilganj P.S. Case No. 230 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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