

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37375 of 2019

Arising Out of PS. Case No.-58 Year-2015 Thana- SIMRI District- Darbhanga

Fakira Das @ Fakir Kahar, aged about 50 years Male Son of Jeetan Das
Resident of Village - Kajiyana, P.S.- Simri, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Kedar Jha, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-06-2019 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, 452, 341, 323, 354, 379, 504 and 506 of the Indian Penal Code registered in connection with Simri P.S. Case No. 58 of 2015.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of past enmity. A charge sheet was submitted against the son of the informant in Simri P.S. Case No. 111 of 2014 in connection with kidnapping of 13 years old daughter of the petitioner. It is further submitted that accusation of assault with *farsa* on the head of the informant is not supported by the injury report which shows lacerated wound and the injuries are simple in nature. 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



Chief Judicial Magistrate, Darbhanga in connection with Simri P.S. Case No. 58 of 2015, 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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