

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39990 of 2019

Arising Out of PS. Case No.-383 Year-2018 Thana- CHIRAIYA District- East Champaran

AJAY RAI Son of Binda Rai Resident of Village - Koluharwa , P.S.-
Shikarganj, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr. J.K.Singh,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 27-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 324, 307, 326/34 of the Indian Penal Code registered in connection with Chiraiya (Shikarganj) P.S. Case No. 383/2018.

3. It is submitted that the petitioner has been falsely implicated and except suspicion there is no objective material to connect the petitioner with the alleged occurrence. The petitioner is alleged to have assaulted the informant with knife but according to the injury report the opinion has been kept reserved. It is further submitted that the injuries are only skin deep and no grievous injury has been sustained by the informant. The petitioner is accused in one prior case.

4. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned ACJM, Sikrahana at Dhaka, East



Champan in connection with Chiraiya (Shikarganj) P.S. Case No. 383/2018 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) That the petitioner shall co-operate 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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury has been caused to the informant. In case grievous injury is found, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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