

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40573 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- UJIYARPUR District- Samastipur

PRANAV KUMAR Son of Shobhakant Choudhary Resident of Village and
P.O.- Pataili (Dhamua), P.S.- Ujjiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 04-09-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 323, 341, 354, 504, 506/34 of the Indian Penal Code registered in connection with Ujjiyarpur P.S. Case No. 46/2019.

3. It is submitted that the petitioner has been falsely implicated and there is case and counter case between the parties who are agnates. It is submitted that the ingredients of the offence under Section 354 of the Indian Penal Code are not made out in absence of any allegation of outraging the modesty of anyone. The accusations are general and omnibus in nature except to the effect that the petitioner threatened the informant with pistol. There is no injury report on record to corroborate the accusation of assault. 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 SDJM, Dalsingsarai, Samastipur, in connection with Ujjiyarpur P.S. Case



No. 46/2019, 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.

(Vikash Jain, J)

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