

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39979 of 2019**

Arising Out of PS. Case No.-107 Year-2019 Thana- KATEYA District-
Gopalganj

=====

AJIT MISHRA, aged about 25 years, male, Son of Sashikant Mishra R/o
Village- Beali Dusaudhi, P.S.- Kateya, District- Gopalganj.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pritish Ranjan, Advocate.

For the Opposite Party: Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 26-08-2019 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, 323, 324, 307, 504 and 34 of the
Indian Penal Code registered in connection with Kateya P.S. Case
No. 107 of 2019.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute. The petitioner has
also filed a complaint case after lodging of the present F.I.R. The
petitioner is accused of having assaulted the informant on the
head with *farsa* but there is no material to indicate for
responding the grievous injury. 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 provisional 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 XV, Gopalganj in connection with Kateya P.S. Case No. 107 of 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 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.

(iv) 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.

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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