

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.38449 of 2019**

Arising Out of PS. Case No.-26 Year-2019 Thana- ADAPUR District- East  
Champaran

=====

BITTU KUMAR, aged about 22 years, male, S/o Umesh Mahto R/o village-  
Gamhariya Khurd, P.S.- Adapur, District- East Champaran, Motihari

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party: APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      28-06-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest for the offences  
alleged under Sections 341, 323, 353, 337, 504 and 506/34 of the  
Indian Penal Code registered in connection with Adapur P.S. Case  
No. 26 of 2019.

3. It is submitted that the petitioner has been falsely  
implicated merely because he happens to be the brother of Ram  
Babu Kumar who was taken into police custody in Adapur P.S.  
Case No. 10 of 2019 for the offence under Section 498(A) of the  
Indian Penal Code. The allegation that the petitioner was  
altercating with the police in that regard is improbable and the  
F.I.R. has been motivated by the petitioner's *bhabhi*. 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 Sub-Divisional Judicial Magistrate, Raxaul, East Champaran, Motihari in connection with Adapur P.S. Case No. 26 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.

**(Vikash Jain, J)**

Ibrar/BT

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