

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37190 of 2019**

Arising Out of PS. Case No.-89 Year-2018 Thana- TILAUTHU District-
Rohtas

- =====
1. BIJAY SINGH @ VIJAY SINGH, aged about 41 years, male, S/O Late Ramadhar Singh Resident of village- Pathara, P.S. Tilauthu, District- Rohtas.
 2. Shyam Sundar Singh, aged about 39 years, male S/O Late Ramadhar Singh Resident of village- Pathara, P.S. Tilauthu, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Dineshwar Mishra, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-06-2019

Learned counsel for the petitioner states that the petitioner nos. 1 has been arrested and as such the anticipatory bail petition has become infructuous and seeks permission to withdraw the same.

2. Permission is accorded. The anticipatory bail petition of petitioner no. 1 stands dismissed as withdrawn.

3. Heard learned counsel for the petitioner and learned APP for the State.

4. The petitioner no. 2 apprehends his arrest for the offences alleged under Sections 147, 149, 341, 323, 324, 337, 307 of the Indian Penal Code registered in connection with Tilauthu P.S. Case No. 89 of 2018.

5. It is submitted that the petitioner no. 2 has been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. The petitioner no. 2 also suffered injuries. In any event the injuries suffered by Lallu



Singh on his little finger of right hand attributed to assault by the petitioner no. 2 is simple in nature. The petitioner no. 2 claims clean antecedents.

6. Be that as it may, in the event of the petitioner no. 2's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner no. 2 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, Dehri, Rohtas in connection with Tilauthu P.S. Case No. 89 of 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 no. 2.

(ii) That the petitioner no. 2 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner no. 2 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 no. 2 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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