

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38488 of 2019**

Arising Out of PS. Case No.-125 Year-2018 Thana- SANGRAMPUR District- East
Champaran

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Dukhi Sah @ Dukhichandra Sah, aged about 68 years, male, Son of Bhichki Sah, Resident of Village - Bariyariya, P.S. - Sangrampur, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mrs. Rashmi Jha, Advocate
For the State : 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, 324, 307 and 504/34 of the Indian Penal Code registered in connection with Sangrampur P.S. Case No. 125 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of petty dispute and there is case and counter case between the parties. The accusation of assault against the petitioner is general and omnibus in nature. The injuries sustained by the informant on her forehead are simple in nature. 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 Additional Chief Judicial Magistrate, Motihari, East Champaran in



connection with Sangrampur P.S. Case No. 125 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) 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.

(Vikash Jain, J)

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