

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.37225 of 2019**

Arising Out of PS. Case No.-18 Year-2019 Thana- ATRI District- Gaya

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RAKESH KUMAR, male, aged about 39 years, Son of Late Nageshwar Singh Resident of Village - Arai Keshopur, P.S.- Atri, Distt - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Onkar Nath, Advocate.  
For the State : Mr. Shailendra Kumar Singh, APP  
For the informant : Mr. Amresh Kumar Singh, Advocate.

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

2      19-06-2019                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 448, 354(B), 341, 323 and 504 of the Indian Penal Code registered in connection with Atri P.S. Case No. 18 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of money dispute between the parties. The petitioner is the Government personnel and had advanced Rs. 25,000/- to the informant and a dispute arose with regard to non-repayment of the amount. There is delay in institution of the F.I.R. on 10.01.2019 for the alleged occurrence of 09.01.2019. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing suo motu opposes the anticipatory bail petition.

5. 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 Chief Judicial Magistrate, Gaya in connection with Atri P.S. Case No. 18 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)**

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