

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41141 of 2019**

Arising Out of PS. Case No.-10 Year-2018 Thana- SIGAUDI District- Patna
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GHOSH YADAV Son of Munarik Singh Resident of Gowari Chandhus P.S.-
Sigaudi, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Mishra, Advocate.

For the Opposite Party: Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 19-09-2019

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

2. The petitioner apprehends his arrest for the
offences alleged under Sections 147, 148, 149, 341, 323, 307, 354
of the Indian Penal Code and Section 27 of the Arms Act
registered in connection with Sigori P.S. Case No. 10 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on the specific accusation that he has fired upon the
father-in-law of the informant using rifle and caused injury.
Other co-accused persons have been granted anticipatory bail in
A.B.P. No. 2916 of 2018 and regular bail in Cr. Misc. No. 57856 of
2018 and Cr. Misc. No. 66353 of 2018 respectively. The petitioner
is accused in one prior case.

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-V, Danapur, Patna in connection with Sigori P.S. Case



No. 10 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.

(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 the father-in-law of the informant has not suffered any firearm injury. In case firearm injury is found, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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