

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38026 of 2019**

Arising Out of PS. Case No.-273 Year-2018 Thana- JAGDISHPUR District-
Bhagalpur

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SUBHASH HARIJAN @ SUBHASH KUMAR HARIJAN, aged about 19 years,
male, Son of Naresh Harijan Resident of Village- Harijan Tola, Puraini, P.S.-
Jagdishpur, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 147, 149, 323, 324, 307, 325, 341, 504
and 506 of the Indian Penal Code registered in connection with
Jagdishpur P.S. Case No. 273 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute as the parties are
agnates. The accusations of assault are general and omnibus in
nature. Similarly situated co-accused Rekha Devi has been
granted anticipatory bail by this Court in Cr. Misc. No. 73531 of
2018. 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 provisional 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, Bhagalpur in connection with Jagdishpur P.S. Case No. 273 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 upon verification by the learned Court below that none of the injuries sustained by the informant's side is grievous in nature, failing which his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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