IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38052 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- BAUSI District- Purnia

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Muzaffar, aged about 30 years, Male, Son of Late Zahiruddin @ Zahir Resident of Village-Bishari, P.S.- Baisi, District - Purnea.

... ... Petitioner

Versus

The State Of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Kamal Kishore 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, 341, 323, 307, 354, 448, 379, 354 and 506 of the Indian Penal Code registered in connection with Baisi P.S. Case No. 24 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and the parties are co-villagers. There is delay of five days in instituting the FIR on 29.01.2019 for the alleged occurrence of 24.01.2019. The accusation of assault is general and omnibus in nature and no specific accusation of assault has been attributed to the petitioner. The injuries sustained by the informant's husband 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

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Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 24 of 2019, 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 of the petitioner shall be a close relative.

(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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