

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38631 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

Rahul Singh @ Rahul Kumar, aged about 25 years, Male, son of Guljar Singh
R/o village- Barej, P.S.- Mohania, District- Kaimur at Bhabua

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-07-2019 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, 504, 427, 332, 333, 353 and 379 of the Indian Penal Code registered in connection with Mohania P.S. Case No. 52 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of village politics and the FIR is against as many as 7 named accused persons and 50 unknown persons. The accusation of assault against the petitioner is general and omnibus in nature and no injury has been caused to anyone. The petitioner is an accused in a case of similar nature which has been instituted subsequent to the present 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 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, Kaimur at Bhabua in connection with



Mohania P.S. Case No. 52 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure 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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