

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39676 of 2019**

Arising Out of PS. Case No.-401 Year-2018 Thana- KARAHGAR District-
Rohtas

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RAMANUJ PASWAN, male, aged 40 years, Son of Bahadur Paswan
Resident of Village-Pipari, P.S.-Sidhi O.P, Kargahar, District-Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Pandey, Advocate.

For the Opposite Party: APP

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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, 323, 324, 307, 379, 504,
506 of the Indian Penal Code registered in connection with
Kargahar (Sidhi O.P.) P.S. Case No. 401 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute between the parties as
the petitioners are co-villagers. It is submitted that there is
nothing to indicate that the injuries sustained by the informant
are grievous in nature. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the
informant opposes the anticipatory bail, submitting that there is
direct accusation of assault by the petitioner on the head of the
informant with *lathi* who has sustained grievous injury.

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 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, Sasaram, Rohtas in connection with Kargahar (Sidhi) P.S. Case No. 401 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.

6. The provisional bail granted to the petitioner shall be confirmed upon verification by the learned Court below, preferably within a further period of four weeks after furnishing bail bonds, 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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