

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40462 of 2019**

Arising Out of PS. Case No.-418 Year-2017 Thana- NAWADA District-
Nawada

=====

DHARMENDRA KUMAR, aged about 52 years, male, S/o Late Gopi Prasad
Resident of Thatheri Gali, P.S.- Nawada, Distt.- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Devendra Prasad Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-07-2019

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

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 307, 504/34 of the Indian Penal
Code registered in connection with Nawada (Town) P.S. Case No.
418 of 2017.

3. It is submitted that the petitioner has been falsely
implicated and the accusation of assault with iron rod by the
petitioner are not corroborated by any injury report. The
petitioner's case stands on better footing than co-accused
Khurshid who is said to have assaulted the informant on his head
with a cutting weapon who has been granted bail by the learned
Court below. 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 Chief Judicial Magistrate, Nawada in connection with Nawada (Town) P.S. Case No. 418 of 2017, 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.

(Vikash Jain, J)

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