

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39232 of 2019**

Arising Out of PS. Case No.-25 Year-2019 Thana- SIKTI District- Araria

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SHYAM SUNDAR PASWAN, aged about 45 years, male, S/o Lal Kripal
Paswan R/o village- Dithaura, P.S.- Sikti, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Nishant Kumar Sinha, Advocate.

For the Opposite Party: Mr. Ajay Kumar-I, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 323, 341, 354, 504, 506/34 of the Indian
Penal Code registered in connection with Sikti P.S. Case No. 25 of
2019.

3. It is submitted that the petitioner has been falsely
implicated and in any event the ingredients of the offence under
Section 354 IPC are not made out even on a perusal of the
accusation in the F.I.R. All other penal provisions areailable.
There is delay in institution of the F.I.R. on 07.03.2019 for the
alleged occurrence of 26.02.2019 which has been lodged out of
personal grudge and enmity, the parties being co-villagers. 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, Araria in connection with Sikti P.S. Case No. 25 of 2019, 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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