

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40395 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- PIPRIYA District- Lakhisarai

ROCKY KUMAR Son of Rijhan Saw Resident of Village-Karari Pipariya,
P.S.-Pipariya, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 30-08-2019 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, 354, 379, 313, 504, 511/34 of the Indian Penal Code registered in connection with Pipariya P.S. Case No. 04/2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of admitted petty disputes over tying of goat in front of the informant's house. It is submitted that the accusation of the offence under Section 313 of the Indian Penal Code is not corroborated by any medical report. The petitioner claims clean antecedents.

4. Learned APP refers to para 31 of the case diary containing injury report of the victim, according to which no external injury was found. The informant's daughter was advised for U.S.G. of whole abdomen on 05.01.2019 and opinion was kept reserved for the U.S.G. report. The case diary containing entries over the next about six months upto 14.07.2019 do not however contain the U.S.G. report.

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 bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Diwakar Kumar, learned Judicial Magistrate, Lakhisarai, in connection with Pipariya P.S. Case No. 04/2019, 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 co-operate 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. 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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