

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41706 of 2019

Arising Out of PS. Case No.-183 Year-2017 Thana- BITHAN BAZAR District- Samastipur

Jiwachh Chaupal @ Jiwachh Tanti @ Jiwachh Kr. Chaupal, aged about 32 years, Gender-Male, Son of Mahadev Chaupal Resident of Village - Dharharba, Bithan, P.S.- Bithan, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vijay Anand, Advocate

For the Opposite Party : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-07-2019 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, 379, 384, 386, 447, 448 and 452 of the Indian Penal Code registered in connection with Bithan P.S. Case No. 183 of 2017.

3. It is submitted that the petitioner has been falsely implicated and the entire gamut of the accusation is against co-accused Bhagwan Das. No overt act of demand of extortion or threats have been made against the petitioner who has been implicated in the backdrop of land dispute with one Sense Kumar Chaupal, who is in good terms with the informant.

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 Sub-Divisional Judicial Magistrate, Rosera in connection with Bithan P.S. Case No. 183 of 2017, subject to the conditions as laid



down under Section 438 (2) Cr.P.C. 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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