

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41964 of 2019

Arising Out of PS. Case No.-220 Year-2018 Thana- GURARU District- Gaya

UDAY PRASAD S/o Late Shivnandan Prasad R/o village- Jamlapur, P.S.-
Guraru, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha
For the Opposite Party/s : Mr.Rajeev Nayan (APP 231)

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 341, 323 354, 379, 504, 506/34 IPC registered in connection with Guraru P.S. Case No. 220 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the informant is none other than the aunt of the petitioner. It is further submitted that the accusations under Section 354 IPC are highly improbable and doubtful. There is land dispute between the parties and Land Dispute Resolution Suit No. 89/L/2017-18 filed at the instance of the informant before the L.R.D.C., Tekari, Gaya has been disposed of on 07.07.2018. 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 ACJM V, Gaya in connection with Guraru P.S. Case No. 220 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 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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