

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41749 of 2019

Arising Out of PS. Case No.-462 Year-2018 Thana- CHANPATIA District- West Champaran

Dhiraj Giri @ Dhiraj Kumar Giri aged about 30 years (male) Son of Ekbali Giri, Resident of Village-Parsa, Police Station-Manuapool, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party : 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, 342, 323 and 379/34 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act registered in connection with Chanpatiya (Sirisiya O.P.) P.S. Case No. 462 of 2018.

3. It is submitted that the petitioner has been falsely implicated and there is case and counter case between the parties. The FIR has been lodged against as many as six named accused persons. No specific accusation of assault has been made against the petitioner. No recovery of any incriminating articles has been recovered from the possession of the petitioner, who 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



Additional Chief Judicial Magistrate-V, Bettiah, District West Champaran in connection with Chanapatiya (Sirisiya O.P.) P.S. Case No. 462 of 2018, subject to the conditions as laid down under Section 438 (2) of the 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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