

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75016 of 2018**

Arising Out of PS. Case No.-534 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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Santosh Kumar Prasad @ Santosh Kumar Son of Kanhaiya Sah, Resident of
Village- Saraiya Ward No.2, P.S. and District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gautam Kumar Kejriwal

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 12-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 147, 148, 149, 150, 152, 353, 504, 323, 307, 427, 120B
IPC registered in connection with Gopalganj P.S. Case No. 534 of 2018.

3. It is submitted that the petitioner has been falsely implicated
and in any event the only accusation against him is that he requested
the authorities to begin the anti-encroachment drive from the side of
another shop rather than from the petitioner's shop. No overt act of
obstruction or assault has been alleged against the petitioner. 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
CJM, Gopalganj, in connection with Gopalganj P.S. Case No. 534 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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