

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75264 of 2018

Arising Out of PS. Case No.-386 Year-2018 Thana- KAHALGAON District-
Bhagalpur

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Sunil Sah @ Sunil Kumar Sah Son of Sri Wakil Sah, Resident of Village-
Ekchari, Police Station- Rasalpur, District- Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Purushottam Kumar Das, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 24-01-2019 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, 341, 323, 354, 308 and 505 of the Indian Penal Code registered in connection with Kahalgaon (Rasalpur) P.S. Case No. 386 of 2018 corresponding to G.R. No. 2835 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of admitted past dispute between the parties. There is case and counter case and in any event the injuries sustained by Sanjay Sah attributed to the assault by the petitioner are simple in nature. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Rasalpur) P.S. Case No. 386 of 2018 (G.R. No. 2835 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) 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.

(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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