

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71270 of 2018

Arising Out of PS. Case No.-76 Year-2018 Thana- DEWARIA District- Muzaffarpur

Harindra Rai Son of Late Ganga Ray, Resident of Village- Muza Bangra, P.S.-
Deoriya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr. Rajkishore Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 01-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 324, 307/34 of the Indian
Penal Code registered in connection with Deoriya P.S. Case No.
76 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and the parties are cousins between whom there is
admitted land dispute as evident from the FIR itself. The
accusation of assault with Dab (sharp instrument) is not
corroborated by the injury report which discloses injury with
hard blunt substance.

4. Learned APP invites reference to para 31 of the
case diary and submits that the injury report has not yet been



obtained by the I.O. of the case.

5. 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 provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., West Muzaffarpur in connection with Deoriya P.S. Case No. 76 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 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) 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.

6. The provisional bail shall be confirmed after verification by the learned Court below to its satisfaction that no grievous injury has been caused to the informant. In case, it is found that the informant has sustained grievous injury, bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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