

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41968 of 2019

Arising Out of PS. Case No.-201 Year-2016 Thana- SAHPUR District- Bhojpur

AKHILESHWAR SINGH @ AKHIL SINGH @ AKHILESH SINGH Son of
Late Bhuneshwar Singh Resident of Village - Chanda Kewatiya, P.S.- Behea,
District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sada Nand Roy, Adv
For the State	:	Mr.Bharat Bhushan,APP
For the Informant	:	Mr. Aditya Nath Pandey, Adv

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-07-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302/34 IPC and Section 27 of the Arms Act registered in connection with Sessions Trial No. 266 of 2017, arising out of Shahpur P.S. Case No. 201 of 2016.

3. It is submitted that the petitioner has been falsely implicated and in any event after due investigation the police exonerated the petitioner and he was not sent up for trial. The petitioner has thereafter been summoned in course of trial under Section 319 Cr. P.C. The petitioner claim clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing *suo motu* oppose the anticipatory bail petition.

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 bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge XI, Bhojpur at Ara , in connection with



Sessions Trial No. 266 of 2017, arising out of Shahpur P.S. Case No. 201 of 2016 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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