

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41712 of 2019**

Arising Out of PS. Case No.-252 Year-2018 Thana- DAGARUA District-
Purnia

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MD. SHORAB @ MD. SOHRAB, aged about 35 years, male, Son of Sk. Jamil
Resident of Village- Kanharia, P.S.- Dagarua, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party: APP

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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 324, 448, 307 of the Indian Penal Code
and Section 27 of the Arms Act registered in connection with
Dagarua P.S. Case No. 252 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute as the petitioner and
the informant are own brothers. The accusation of assault is
general and omnibus without any specific assault attributed to
the petitioner. Injuries resulting from the assault alleged against
the petitioners are simple in nature. 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 Additional Chief Judicial Magistrate 2nd Class, Purnea in connection with Dagarua P.S. Case No. 252 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.

(Vikash Jain, J)

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