

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42958 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- MAJHAULIA District- West Champaran

Bhadu Das, Gender-Male, Aged about 21 Years, Son of Late Lal Bahadur Das
Resident of Village-Bharwaliya, P.S.-Majhauriya, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar No 7, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 447, 302 and 504 of the Indian Penal Code registered in connection with Majhauriya P.S. Case No. 256 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the FIR is against as many as seven named accused persons. The specific accusation of assault with *lathi* on the body of the deceased is attributed to the co-accused Sandeep Das alias Chhotu Das whereas there is no accusation of assault whatsoever against the petitioner. Similarly situated co-accused Pramod Das has been granted anticipatory bail by this Court vide order dated 30.01.2019 passed in Cr. Misc. No. 5229 of 2019. 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauilya P.S. Case No. 256 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) 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.

(Vikash Jain, J)

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