

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64374 of 2018

Arising Out of PS. Case No.-73 Year-2018 Thana- SISWAN District- Siwan

Ishwarjit Dubey S./o Jai Prakash Dubey @ Jaya Prakash Dubey R/O Vill.-
Arjanipur Siswa Kala P.S. M.H. Nagar Distt.-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 14-02-2019 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, 324, 447, 427, 354(B),504/506 registered in connection with Siswan (MH Nagar) P.S. Case No. 73 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the FIR has been instituted after a delay of two days on 28.04.2018 for the alleged occurrence of 26.04.2018. It is submitted that the accusation of assault are general and omnibus in nature and the accusation under Sections 354 and 354B IPC are against other co-accused persons namely, Amarjit Dubey and Nityajit Dubey. 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 ACJM X, Siwan, in connection with Siswan (MH Nagar) P.S. Case No. 73 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 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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