

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62734 of 2018

Arising Out of PS. Case No.-56 Year-2018 Thana- BAUSI District- Araria

Md. Naushad Son of Late Sk. Tafajul, Resident of Village- Mohni, Ward No. 10, Police Station-Bousi, District-Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 27-03-2019 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, 325, 307,379,354B, 504, 506/34 IPC registered in connection with Bousi P.S. Case No. 56/2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. T. S. No. 107/2009 is ongoing between the parties. The injury attributed to the assault by the petitioner with iron rod on the finger of the informant is simple in nature. The petitioner has been accused in one prior case instituted at the instance of the aunt of the informant.

4.Learned APP assisted by learned counsel for the informant opposes 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 Mr. Mithilesh Kumar, learned ACJM VI, Araria, in connection with Bousi



P.S. Case No. 56/2018 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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