

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73913 of 2018

Arising Out of PS. Case No.-104 Year-2018 Thana- PATAHI District- East Champaran

1. Narsingh Raut @ Narsingh Patel son of Late Sukhdev Raut,
2. Sachin Kumar Ujala @ Sachin Kumar @ Raushan Kumar Ujala son of Narsingh Raut @ Narsingh Patel,
3. Deepak Kumar @ Bajrangi Kumar son of Narsingh Raut @ Narsingh Patel
All residents of Village- Bhakurahiya, P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pawan Kumar, son of Lte Ramdeni Rayuit, r/o. Vill. Bara Shankar,
P.S. Patahi, District East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 11-03-2019 Learned counsel for the petitioners states that the petitioner nos. 1 and 3 have already been arrested and seeks permission to withdraw the anticipatory bail petition as against them, as the same has become infructuous.

2. Permission is accorded. Anticipatory bail petition as against petitioner nos. 1 and 3 is permitted to be withdrawn and is dismissed as such.

3. The petitioner no. 2 apprehends his arrest for the offences alleged under Sections 406, 379 IPC registered in connection with Patahi P. S. Case No. 104 of 2018.

4. It is submitted that the petitioner no. 2 has been falsely



implicated and the FIR has been instituted in retaliation to the earlier Complaint Case No. 975 of 2018 filed on the previous day on 29.05.2018 by the petitioner no. 1. The parties are related and the petitioners are father-in-law and brother-in-law of respectively of the informant. The petitioner no. 2 claims clean antecedents.

5. Despite valid service of notice, the OP No.2 has not been represented when the matter is called today.

6. Be that as it may, in the event of arrest or surrender by petitioner no. 2 before the court below within six weeks from the date of communication of this order, let the above named petitioner no. 2 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 8th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Patahi P.S. Case No. 104 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 no. 2.
- ii. That the petitioner no. 2 shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner no. 2 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 no. 2 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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