

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74736 of 2018**

Arising Out of PS. Case No.-71 Year-2017 Thana- MUFFASIL District- West
Champaran

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Vivek @ Shekhar Kumar S/o Vijay Patel R/o Villag-Rajguru Chowk, P.S.-
Bettiah Town, District-West Champaran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 11-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 323, 341, 324, 307, 379, 354, 354(B), 354(C), 506/34 of the Indian Penal Code registered in connection with Bettiah (Muffasil) P.S. Case No. 71 of 2017.

3. It is submitted that the petitioner has been falsely implicated and the petitioner has not been named in the F.I.R. even though the parties are resident of the same locality. The petitioner has been implicated subsequently at the instance of the informant's mother when he was remanded in Bettiah Muffasil P.S. Case No. 141 of 2017 which had also been instituted at the instance of the informant's side. It is submitted that the injuries are simple in nature and except the aforesaid, there is no objective material to connect the petitioner with the alleged occurrence. Similarly situated co-accused Amit Kumar @ Amit Kumar Pandey @ Golu and Naveen Singh @ Naveen Rao @ Navin Singh have been granted bail by this Court in Cr. Misc. No. 43140



of 2017. 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 Bettiah (Muffasil) P.S. Case No. 71 of 2017, Trial No. 2870 of 2017 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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