

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44434 of 2019

Arising Out of PS. Case No.-61 Year-2017 Thana- ATRI District- Gaya

MAHENDRA CHAUDHARY Son of Late Rambriksh Chaudhary Resident of
Village - Teusa, P.S.- Atri, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-07-2019 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, 341, 323, 354, 379, 504 IPC registered in connection with Atri P.S. Case No. 61 of 2017.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of admitted land dispute between the parties and the only accusation against the petitioner is of snatching the ear-ring, which is mere embellishment. There is inordinate delay in institution of the FIR on 19.04.2017 for the alleged occurrence of 22.03.2017. The accusations under Section 354 and 323 IPC are against other accused persons. 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 CJM, Gaya, in connection with Atri P.S. Case No.61 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 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.

Chandran/-

(Vikash Jain, J)

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