

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44769 of 2019**

Arising Out of PS. Case No.-137 Year-2018 Thana- ASANWA District-
Siwan

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RAHUL RAM, male, aged about 23 years, S/o Dina Ram @ Dina Nath Ram
R/o village- Shiopur Sakra, P.S.- Assaon, District- Siwan

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Kanhaiya Pandey, Advocate. Ms. Sweta, Advocate.
For the State	:	Mr. Manoj Kumar, APP
For the informant	:	Mr. Aajay Kumar Pandey, Advocate. Mr. Chandan Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 324, 379, 307, 448, 504, 506/34
of the Indian Penal Code registered in connection with Assaon
P.S. Case No. 137 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and in any event no assault whatsoever is attributed
to the petitioner who is said to have snatched cash, mobile phone
and gold chain along with co-accused Bablu. The F.I.R. has been
instituted after inordinate delay on 17.12.2018 for the alleged
occurrence of 05.12.2018 and in retaliation to the earlier F.I.R.
vide Assaon P.S. Case No. 131 of 2018 lodged by the petitioner's
side. A day after filing the present F.I.R. the injured Fulpati Devi
died of brain haemorrhage in which however the petitioner had
no role to play. Other co-accused persons have been granted



anticipatory bail by this Court in Cr. Misc. No. 27445 of 2019. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appears and opposed 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 learned Chief Judicial Magistrate, Siwan in connection with Assaon P.S. Case No. 137 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 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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