

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45454 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- VISHNUPAD District- Gaya

BIKU LAL DHOKRI @ VIKASH KUMAR DHOKRI Son of Lakhan Lal
Dhokri Resident of Mohalla - Panchmahulla Krishna Dwarika, P.S.-
Vishnupad, Distt - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr,Adv Mr.Bhaskar Shankar
For the State	:	Mr.Harendra Prasad,APP
For the Informant	:	Mr.Rabindra Kumar Priyadarshi,Adv

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 307,379, 341, 323, 324, 325, 504, 34 IPC registered in connection with Vishnupad P.S. Case No. 62/2019.

3. It is submitted that the petitioner has been falsely implicated and in any event the accusation against the petitioner is general and omnibus and the specific accusation of assault causing grievous injury is upon other co-accused persons. In a case of similar nature, this Court has granted provisional bail to some of the accused persons implicated in Vishnupad P.S. Case No. 61/2019 in the backdrop of specific accusation of assault as well as their criminal antecedents. The petitioner claims clean antecedents.

4. Learned counsel for the informant appears and opposes the petition stating that the petitioner has suppressed criminal antecedents as he is accused in Civil Lines P.S. Case No. 125/2009 instituted on 28.04.2009.

5. Learned counsel for the petitioner however submits that the



accused of Civil Lines P.S. Case No. 125/2009 is not the petitioner but merely his namesake.

6. Be that as it may and considering in any event that Civil Lines P.S. Case No. 125/2009 was instituted about a decade ago, 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 Vishnupad P.S. Case No. 62/2019, 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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