

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50442 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- DESARI District- Vaishali

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DILIP RAM Son of Sahindra Ram Resident of Village - Panapur Raghunath,
P.S.- Desari, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-08-2019 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, 148, 307, 504 of the Indian Penal
Code registered in connection with Desari (Chandpura OP) P.S.
Case No. 80/2019.

3. It is submitted that the petitioner has been falsely
implicated and the FIR has been instituted against as many as 14
named and 10-15 unknown persons. The accusation of assault by
the petitioner with brick on the head of Subodh Rai causing
injury is improbable as the petitioner is an aged man of about 60
years. There is no material to indicate that Subodh Rai has
suffered head injury. The petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or
surrender within four weeks hereof let the above named
petitioner be released on provisional bail on furnishing bail bond
of Rs.10,000/- [ten thousand] with two sureties of like amount
each to the satisfaction of learned CJM, Vaishali at Hajipur in
connection with Desari (Chandpura OP) P.S. Case No. 80/2019



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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no grievous injury has been caused to Subodh Rai. In case any grievous injury is found, his bail bond shall stand automatically cancelled.

Chandran/-

(Vikash Jain, J)

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