

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50433 of 2019

Arising Out of PS. Case No.-359 Year-2019 Thana- PIRBAHOR District- Patna

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KRISHNA KUMAR Son of Ashok Sao Resident at Birla Mandir Road, P.S.-
Pirbahore, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Kumar Sinha

For the Opposite Party/s : Mr.Kanhaiya Kishore (APP 100)

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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 341, 323, 307, 379, 504, 506/34 of the
Indian Penal Code registered in connection with Pirbahore P.S.
Case No. 359 of 2019.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of petty disputes and the parties are
agnates. Reference is invited to the order of the learned Sessions
Judge noticing that no injury report was available till then. The
petitioner claims clean antecedents.

4. Learned APP submits that from the FIR itself it appears
that the petitioner has been attributed with assaulting the
informant on his head causing injury,

5. 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, Patna in connection with Pirbahore P.S. Case No. 359 of 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.

6. 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 the informant. In case any grievous injury is found, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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