

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52527 of 2019**

Arising Out of PS. Case No.-94 Year-2019 Thana- GAYA MUFASIL District-
Gaya

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ABHISHEK KUMAR SINGH @ BUNTI SINGH, aged about 22 years, male,
S/o- Arvind Kumar Singh Resident of Mohalla- Shyam Nagar, Kali Pokhar,
P.S. Muffasil Gaya in the district of Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Prabhu Narayan Sharma, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 307/34 of the Indian Penal Code and
Section 27 of the Arms Act registered in connection with Mufassil
P.S. Case No. 94 of 2019.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of previous enmity. The accusation of
assault is general and omnibus and no specific overt act has been
alleged against the petitioner. No incriminating articles has been
recovered from the possession of the petitioner. It is further
submitted that no injury report is available in the case diary. 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 provisional 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, Gaya in connection with Mufassil P.S. Case No. 94 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 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.

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 the injuries sustained by the informant's brother are not grievous in nature. In case grievous injury is found, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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