

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54291 of 2019

Arising Out of PS. Case No.-223 Year-2019 Thana- HISUWA District- Nawada

Rajesh Kumar @ Rajesh Singh (Male) aged about 35 years, Son of Arun Singh Resident of Village-Eknar, P.S. - Hisua, District - Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Deepak Kumar, Advocate
For the Opposite Party : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-08-2019 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, 504, 506, 379 and 354(B(D) of the Indian Penal Code registered in connection with Hisua P.S. Case No. 223 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute between the parties. It is submitted that the informant is none other than the wife of cousin of the petitioner and after death of her husband in the year 2009, she had lodged a similar FIR in Hisua P.S. Case No. 145 of 2012 which was prior to the family partition making all the family members, except her own father-in-law, as accused. The present FIR has been filed after partition in which the petitioner and the informant have been allotted their shares in the same building. Except aforesaid Hisua P.S. Case No. 145 of 2012, 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 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, Nawada in connection with Hisua P.S. Case No. 223 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) 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.

(Vikash Jain, J)

BT/-

U		T	
---	--	---	--

