

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62540 of 2019**

Arising Out of PS. Case No.-155 Year-2019 Thana- KUCHAIKOTE District-
Gopalganj

=====

SHIV SHANKAR YADAV Son of Late Bishnu Yadav Resident of Village -
Shital Bardaha, P.S.- Kuchaikot, Dist.- Gopalganj.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shiv Sager Sharma, Advocate.

For the Opposite Party: Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-10-2019 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, 324, 307/34 of the Indian Penal
Code registered in connection with Kuchaikot P.S. Case No. 155 of
2019.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute and there is case and
counter case between the parties. There is delay in institution of
the F.I.R. on 03.06.2019 for the alleged occurrence of 19.05.2019.
It is submitted that the accusation of assault by the petitioner
with *lathi* on the head of the informant is not corroborated by
any injury report as evident from the order of the learned
Sessions Judge. 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, Gopalganj in connection with Kuchaikot P.S. Case No. 155 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.

(Vikash Jain, J)

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