

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61677 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- MOHIUDDIN NAGAR District-
Samastipur

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ANKUSH KUMAR S/o- Umesh Prasad @ Umesh Kumar Sah @ Mahesh
Kasera @ Umesh Kasera @ Umesh Prasad Sah Resident of Village-
Mohiuddinnagar, P.S.- Mohiuddinnagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prem Prakash Poddar
For the Opposite Party/s : Mr.Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 147, 148, 149, 341, 323, 324, 326, 307,
379 of the Indian Penal Code registered in connection with
Mohiuddinnagar P.S. Case No. 58/2019.

3. It is submitted that the petitioner has been falsely
implicated and the FIR is against eight named and 15-20
unknown persons. The accusation of assault is general and
omnibus in nature and the injuries are simple in nature. The
injury report is said to have prepared at 4.50 p.m. on 09.04.2019,
whereas the occurrence is said to have transpired around 5.00
p.m. Similarly situated co-accused have been granted anticipatory
bail by this Court in Cr. Misc. No. 57546 of 2019 and Cr. Misc. No.
58330 of 2019. 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 SDJM, Samastipur in connection with Mohiuddinnagar P.S. Case No. 58/2019 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 the informant's son, conversely, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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