

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57874 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- PAUTHU District- Aurangabad

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GOPAL SHARMA Son of Late Sarju Singh @ Saryu Sharma Resident of
Village- Itar, P.S.- Pauthu, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-09-2019 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 along with 34 of the Indian
Penal Code registered in connection with Pauthu P.S. Case No.
29/2019.

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 who are co-villagers. The
accusation of assault is general and omnibus against three
accused persons including the petitioner, which is improbable as
the petitioner is a person of advanced age of about 84 years. In
any event the injuries are simple in nature. Petitioner claims
clean antecedent.

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 Judicial Magistrate, Ist Class,



Aurangabad in connection with Pauthu P.S. Case No. 29/2019, 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)

Prakash Narayan/-

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