

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.461 of 2019**

Arising Out of PS. Case No.-93 Year-2017 Thana- MUSAHARI District-  
Muzaffarpur

=====

Amit Kumar son of Jaganath Thakur, resident of Village- Dumari, P.S.  
Mushahari, District-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Chandra Shekhar Anand, Advocate.

For the Opposite Party: APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      28-01-2019                      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, 149, 341, 323, 324, 307, 435, 427,  
379 of the Indian Penal Code registered in connection with  
Sessions Trial No. 739 of 2017 arising out of Mushahari P.S. Case  
No. 93 of 2017.

3. It is submitted that the petitioner has been falsely  
implicated in the backdrop of land dispute between the parties  
and the accusations are general and omnibus in nature without  
any specific assault having been attributed to the petitioner. The  
thrust of accusation of assault is against co-accused Mahesh  
Thakur and Raghunath Thakur and in any event the injuries are  
simple in nature. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of  
the facts and circumstances of the case, 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 9<sup>th</sup> Additional Sessions Judge, Muzaffarpur in connection with Sessions Trial No. 739 of 2017 arising out of Mushahari P.S. Case No. 93 of 2017, 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) 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) 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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