

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61674 of 2019**

Arising Out of PS. Case No.-79 Year-2019 Thana- PHULWARIYA District- Gopalganj

AMAR CHOUDHARY Son of Late Kanchan Chaoudhary Resident of Village
- Gidaha, P.S.- Phulwariya, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Dr. Mrs. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 14-10-2019 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, 323, 337, 338, 353, 307, 504 and 506 of the Indian Penal Code, registered in connection with Phulwariya P.S. Case No. 79 of 2019.

3. It is submitted that the petitioner has been falsely implicated and the FIR is against as many as six named and 20 unknown persons. There is no overt act against the petitioner. It is submitted that similarly situated co-accused persons, namely, Surendra Mahto and Nand Kumar Mahto have been granted anticipatory bail by this Court in Cr. Misc. No. 40647 of 2019. The petitioner claims clean antecedents.



4. Be that as it may, in the event of petitioner's arrest or surrender before 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 the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Gopalganj in connection with Phulwariya P.S. Case No. 79 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 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) 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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