

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59835 of 2019

Arising Out of PS. Case No.-90 Year-2018 Thana- JADIA District- Supaul

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JAI KUMAR SAH Son of Jitan Sah Resident of Village - Khute, P.S.- Jadia,
District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 147, 148, 149, 341, 323, 324, 325, 307,
379, 504 and 506 of the Indian Penal Code, registered in
connection with Jadia P.S. Case No. 90 of 2018.

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 agnates. It is
submitted that a title suit bearing Title Suit No. 203 of 2017/224
of 2017 is going on between the parties, which is pending in the
court of learned Sub-Judge-1, Supaul. There is no accusation of
assault attributed to the petitioner which has been made against
other co-accused persons. The accusation of snatching golden



chain from the informant's neck is mere embellishment. The petitioner is accused in one prior case, which has also been lodged by the informant's side. The petitioner's case stands on better footing than that of co-accused persons, who have been granted anticipatory bail by this Court in Cr. Misc. No. 51649 of 2019.

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 A.C.J.M.-Vth, Supaul in connection with Jadia P.S.Case No. 90 of 2018, 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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