

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59559 of 2019

Arising Out of PS. Case No.-129 Year-2018 Thana- JAMHOR District- Aurangabad

RAKESH KUMAR @ RAKESH KUMAR SINGH Son of Baiju Singh
Resident of Village- Hathikhop, P.S.- Jamhor, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-09-2019 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, 504, 506/34 and 307 of the Indian Penal Code, registered in connection with Jamhor P.S. Case No. 129 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of dispute over cutting of paddy crops. The petitioner is alleged to have fired with pistol, but no fire-arm injury has been sustained by anyone. The petitioner claims clean antecedents.

4. Be that as 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Jamhor P.S. Case No. 129 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) 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.

(v) 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 fire-arm injury has been caused to anyone. If any such injury is found, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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