

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61649 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RUPESH KUMAR Son of Murari Yadav Resident of Village - Chandwara,
Pachambha, P.S.- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 324, 307, 506 and 34 of the
Indian Penal Code, registered in connection with Muffasil P. S.
Case No. 178 of 2019.

3. It is submitted that the petitioner has been falsely
implicated and the accusation of assault upon the informant is
general and omnibus. There is case and counter case between
the parties. There is nothing to indicate that grievous injury has
been caused to the informant and the opinion has been kept
reserved. 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, Begusarai in connection with Muffasil P. S. Case No. 178 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) 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.

5. 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 grievous injury has been caused to the informant, conversely, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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