

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64833 of 2018

Arising Out of PS. Case No.-186 Year-2018 Thana- DELHA District- Gaya

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Kaushal Kumar Son of Sri Rameshwar Yadav@ Rameshwar Singh Resident
of Mohalla- Durga Asthan Kharkhura Dusadh Toli, P.S. Delha, Distt. Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-02-2019 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, 354, 504, 506,509 and 34 IPC registered in connection with Delha P.S. Case No. 186 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the FIR has been instituted as a result of petty dispute between the parties. The FIR has been instituted belatedly on 04.08.2018 for the alleged occurrence of 03.08.2018 and has been sent to the Court on 09.08.2018. There is no injury report to corroborate the accusation of assault on the informant's brother. The petitioner claims clean antecedents.

4. Be that as it may, 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 ACJM 7th, Gaya, in connection with Delha P.S. Case No. 186 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.

(Vikash Jain, J)

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