

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62961 of 2019

Arising Out of PS. Case No.-164 Year-2019 Thana- FATEHPUR District- Gaya

MD. JAHANGIR KHAN Son of Late Kabir Khan Resident of Village-
Mehpur, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shailesh Kumar
For the State	:	Mr.Uday Pratap Singh,APP
For the Informant	:	Mr. Ajay Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-10-2019 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, and 308/34 of the Indian Penal
Code, registered in connection with Fatehpur P.S.Case No. 164
of 2019.

3. It is submitted that the petitioner has been falsely
implicated on the vague allegation of assault with spade upon
the informant. In any event, the injuries are simple in nature.
The petitioner is a government servant and claims clean
antecedents.

4. Learned APP, assisted by learned counsel for the
informant, appears and has been heard.



5. It is submitted on behalf of the informant that of the three injuries sustained by him, one of the injuries sustained on the head is grievous in nature, while the opinion in respect of another injury has been kept reserved.

6. 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, Gaya in connection with Fatehpur P.S. Case No. 164 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.

7. 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 sustained by the informant, conversely his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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