

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77228 of 2018

Arising Out of PS. Case No.-162 Year-2018 Thana- TAJPUR District-
Samastipur

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Jagdev Ray son of Nirsu Ray Resident of Village- Nikaspur, P.S.
Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra
For the Opposite Party/s : Mr.Ram Anurag Singh,APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 323, 325, 34, 341, 354-B, 380, 427, 448,
461, 504 IPC registered in connection with Tajpur P.S. Case No.
162 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and the FIR has been instituted after inordinate delay
on 28.05.2018 for the alleged occurrence on 21/22.05.2018.
There is admitted land dispute between the informant and Rajgir
Ray. and the petitioner has been implicated merely because he
happens to be one of the Panchas, who concluded Panchaiti in
favour of Rajgir Ray. There is no injury report to support the
accusation of assault by the petitioner.



4. Be that as it may, having regard to the entirety of the facts and circumstances, 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-I, Samastipur in connection with P.S. Case No. Tajpur P.S. Case No. 162 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)

Chandran/-

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