

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73802 of 2018

Arising Out of PS. Case No.-675 Year-2018 Thana- BHABHUA District- Kaimur (Bhabua) *

Budhan Khan Son of Saphi Khan @ Md. Saphi Khan, Resident of Village
Bhabua Ward No. 9, Chhawani Mohalla P.S. Bhabua, District Kaimur at
Bhabua.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 07-03-2019 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, 307, 379, 504, 506 and 34 of the Indian Penal Code registered in connection with Bhabua P.S. Case No. 675 of 2018.

3. It is submitted that the petitioner has been falsely implicated and there are a number of cases filed by both sides against each other in the backdrop of land dispute between them. There is no conclusive injury report to corroborate the accusation of assault by the petitioner's side except a preliminary injury report of Gulsan Jahan (Juhi Khatoon) which merely discloses complaint of pain in her whole body.

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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with



Bhabua P.S. Case No. 675 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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 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.

(iv) That the petitioner shall cooperate 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.

BT/-

(Vikash Jain, J)

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