

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69808 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- MANSI District-
Khagaria

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Rajeev Kumar S/o Chandradev Singh Resident of Village-Balkunda, P.S.
Mansi, Distt.-Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Binod Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 07-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 342, 307, 325/34 of the Indian Penal
Code registered in connection with Mansi P.S. Case No. 132 of
2018.

3. It is submitted that the petitioner has been falsely
implicated and there is considerable delay in recording the
fardbeyan of the informant on 23.06.2018 and institution of the
F.I.R. on 03.07.2018 for the alleged occurrence of 17.06.2018. It
is submitted that the informant appears to have met with an
accident and the petitioner is in no way connected with the
alleged occurrence. The petitioner claims clean antecedents.

4. A perusal of paragraph-9 of the case diary in which
the statement of eye witness Yogi Singh has been recorded
discloses that he stated the episode as one of accident.

5. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, 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, Khagaria in connection with Mansi P.S. Case No. 132 of 2018, G.R. No. 1798 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) 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.

(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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