

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73735 of 2018

Arising Out of PS. Case No.-214 Year-2018 Thana- NASRIGANJ District- Rohtas

Ram Pukar Sah Son of Ram Autar Sah, Resident of Village- Chitaukhar, P.S. Nasriganj, Distirct Rohtas Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar Shrivastava

For the Opposite Party/s : Mr. Nagendra Upadhyaya, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 11-03-2019 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, 504, 308, 448 IPC registered in connection with Nasriganj P.S. Case No. 214 of 2018.

3. It is submitted that the petitioner has been falsely implicated and there is considerable delay in instituting the FIR on 04.09.2018 for the alleged occurrence of 27.08.2018. The injury report discloses the injuries to be of simple nature, which belies the accusation that the petitioner had thrown the injured from the terrace of the house. The parties are patidaars and the FIR has been instituted in the backdrop of past disputes. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appear and opposes the anticipatory bail petition.

5. 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, Rohtas at Sasaram in connection with Nasriganj P.S. Case No.



214 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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