

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64067 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- TARIYANI CHAPRA PS
District- Sheohar

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Amritesh Kumar Son of Ram Kalewar Mahto, Resident of Village-
Sultanpur, P.S.-Tariyani Chhapra, District-Sheohar

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Hans Lal Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

5 08-02-2019 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, 323, 324, 447, 379, 307,
504/34, 302 of the Indian Penal Code registered in connection
with Tariyani Chhapra P.S. Case No. 61 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and in any event there is no injury report of Shankar
Mahto who is said to have been assaulted on his head with iron
rod by the petitioner. It is submitted that there is no injury report
to corroborate the allegation of such assault. The accusation of
assault on the informant's mother who subsequently died is upon
co-accused Chandan Kumar. There is land dispute and the parties
are gotiya. The petitioner claims clean antecedents.

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

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 Additional Chief Judicial Magistrate, Sheohar in connection with Tariyani Chhapra P.S. Case No. 61 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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