

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66989 of 2018

Arising Out of PS. Case No.-85 Year-2018 Thana- NAUHATTA District- Rohtas

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Nagesh Singh Son of Late Silwant Singh Resident of Village-Teepa,P.S.
Nauhatta,Distt.-Rohtas,Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar Singh

For the Opposite Party/s : Mr.Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-01-2019 As prayed, learned counsel for the petitioner is permitted to make necessary correction of the typographical error mentioning Section 320 IPC instead of the correct Section 302 IPC in para 3 of the anticipatory bail petition in course of the day.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 325, 307, 379, 504, 506/34 IPC registered in connection with Nauhatta P.S. Case No. 85/2018.

4. It is submitted that the petitioner has been falsely implicated in retaliation of the rejection of injunction



petition of the informant's side in T.S. No. 588 of 2012, soon after which the instant FIR has been instituted. Another Title Suit No. 385 of 2000 is also said to be pending between the parties. It is submitted that the broken arm of the informant's son resulting from the assault attributed to the co-accused Bijendra Singh is simple in nature, thus belies the accusation the FIR. It is further submitted that the injury on the informant's son's head attributed to the petitioner is also simple in nature. It is further submitted that of the two cases in which the petitioner was made accused, Complaint Case No. 985/2002 has been instituted by the informant himself.

5. Having regard to the entirety of the facts and circumstances, as such, 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 Mr. Vivek Kumar Singh, learned Judicial Magistrate Ist Class, Dehri, Sasaram, in connection with Narhatta P.S. Case No. 85 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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