

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65192 of 2018

Arising Out of PS. Case No.-775 Year-2017 Thana- PHULWARISHARIF District- Patna

Gaurav Giri @ Gaurav Kumar Giri, Son of Yogendra Giri, resident of Ishapur
Ray Chowk, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Uday Prasad, Advocate
For the Opposite Party : Mr. J.K. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 436 and 427/34 of the Indian Penal Code registered in connection with Phulwarisharif P.S. Case No. 775 of 2017.

3. It is submitted that the petitioner has been falsely implicated as the first information report is against unknown persons. In course of investigation almost 60-70 persons have been named in connection with the dispute between two communities over taking of procession. The accusation against the petitioner is general and omnibus in nature. Petitioner's name transpired on the confessional statement of co-accused Sanjit Kumar @ Jaunti, who has been granted bail by this Court vide order dated 11.05.2018 passed in Cr. Misc No. 28630 of 2018.

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 Smt. Namita Singh, learned Additional Chief Judicial Magistrate, Patna in connection with Phulwarisharif P.S. Case No. 775 of 2017, 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.

(Vikash Jain, J)

BT/Chandran

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