

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6092 of 2020

Arising Out of PS. Case No.-97 Year-2019 Thana- DESARI District- Vaishali

SHIVNATH RAM Son of - Raghunath Ram Resident of Village - Bihajadi,
P.S.- Desari, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 323, 341, 307, 447 and 448 of the Indian Penal Code registered in connection with Desari (Sahdei O.P.) P.S. Case No. 97 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute between the parties, who are neighbours. The accusation of assault is general and omnibus in nature and no specific overt act has been attributed to the petitioner. A statement is made at the Bar that no one has sustained any injury. The petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Desari (Sahdei O.P.) P.S. Case No. 97 of 2019 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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no injury has been caused to the informant, conversely, his bail bond shall stand automatically cancelled.

Chandran/-

(Vikash Jain, J)

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