

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6170 of 2020

Arising Out of PS. Case No.-120 Year-2019 Thana- BHAGWANPUR District- Vaishali

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ARUN RAI Son of Ratan Lal Rai Resident of Village - Rahsa Pachhiyari,
P.S.- Bhagwanpur, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Jagdhar Prasad

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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 341, 323, 324, 354(B), 307, 379 , 504/34 of the Indian Penal Code registered in connection with Bhagwanpur P.S. Case No. 120 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties who are gotia. There is inordinate delay in institution of the FIR on 03.06.2019 for the alleged occurrence of 22.05.2019. The informant is said to have assaulted with *farsa* on the head, but the injury report does not disclose any grievous 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 Bhagwanpur P.S. Case No. 120 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 grievous injury has been caused to the informant, conversely, his bail bond shall stand automatically cancelled.

Chandran/-

(Vikash Jain, J)

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