

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28224 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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Basdeo Bind Son of Khedan Bind, resident of Village Saidara Kala P.S.
Bhabua, District Kaimur at Bhabua.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-07-2015 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 376/511 of the Indian Penal Code
registered in connection with Mahila P.S. Case No. 16 of 2015.

3. It is submitted that the petitioner being *Devar* of the
informant has been implicated in a false and concocted story.
Even earlier she had filed Complaint Case No. 52 of 2014 under
Section 498A of the Indian Penal Code wherein the petitioner has
also been made an accused. The first information report has been
instituted after a considerable delay of about 12 days without any
explanation. There is no eye-witness to the occurrence.

4. 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 Sub-Divisional Judicial Magistrate, Kaimur at Bhabua, in connection with Mahila P.S. Case No.16 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) The petitioner shall cooperate with the investigation 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.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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