

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27529 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -SINGHIYA District- SAMASTIPUR

1. Durga Kumar Paswan Son of Vijay Paswan Resident of Village Parhat,
P.s Singhiya, District Samastipur (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Manoj Kumar-I(App)

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-07-2015

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, 511/34 of the Indian Penal Code registered
in connection with Singhiya P.S. Case No. 80 of 2015.

3. It is submitted that the petitioner has been falsely
implicated in a concocted story impelled by an existing land dispute
between the father of the petitioner and father of the informant. It is
submitted that in any event the thrust of accusation of committing the
offence is against the co-accused and no accusation whatsoever has
been assigned to the petitioner.

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 S.D.J.M., Rosera, Samastipur in connection with Singhiya P.S. Case No. 80 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 as and when required 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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