

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27287 of 2016

Arising Out of PS.Case No. -191 Year- 2012 Thana -MOTIPUR District- MUZAFFARPUR

Rabindra Kumar, son of Kailash Prasad @ Kailash Prasad Kushwaha,
r/o. vill Bathana, P.S. Motipur, Dist. Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Part

Appearance :

For the Petitioner : Mr. Dhurendra Kumar , Advocate

For the Opposite Party : Mr. Nirmala Kumari(App)

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 23.01.2016 in connection with Motipur P.S.Case No. 191 of 2012 for the alleged offences under Section 364 of the Indian Penal Code and charge sheet has been submitted for the offences under Section 364(A), 120(B) of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as an after thought inasmuch as the informant did not name the petitioner in the FIR though he claimed to have recognized the accused persons and the petitioner was named in the informant's further statement recorded three months later on 12.12.2012. It is further stated that the co-accused Mrityunjay Thakur had been granted bail by the learned Court below. The

petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named 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., West Muzaffarpur in connection with Motipur P.S. Case No. 191 of 2012 subject to the condition that 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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