

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8291 of 2016

Arising Out of PS.Case No. -582 Year- 2015 Thana -DANAPUR District- PATNA

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Kaushal Rai son of Ram Babu Rai, R/o village - Chandasi, P.S. - Gaurichak,
District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 365 read with Section 34 of the Indian
Penal Code registered in connection with Danapur P.S. Case No.
582 of 2015.

3. It is submitted that the petitioner has been falsely
implicated and the thrust of accusation is against accused
Phantush alias Dilip and Prakash Sahani. In her statement under
Section 164 of the Code of Criminal Procedure, the so-called
victim lady has claimed herself to be the wife of said Dilip Rai
with whom she had voluntarily gone. She has claimed her age as
25 years and assessed as 27 years.

4. Having regard to the entirety of the facts and

circumstances of the case, as such, in the event of the arrest or surrender of the petitioner 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 bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Danapur P.S. Case No. 582 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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