

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27315 of 2016**

Arising Out of PS.Case No. -95 Year- 2016 Thana -WARSALIGANJ District- NAWADA

Mukesh Kumar son of Sri Ravindra Choudhary resident of village Kamtaul,  
P.S. Kamtaul, District - Darbhanga, Presently posted as PTC no. 590 Police  
Station Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pravin Kumar, Adv.

For the Opposite Party/s : APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      12-07-2016                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner is in custody since 16.05.2016  
in connection with Warisaliganj P.S. Case No. 95 of 2016 for  
the offences alleged under Sections 376(C)/511/506 of the  
Indian Penal Code.

3. It is submitted that the petitioner has been  
falsely implicated and even according to the accusations in  
the F.I.R. the offence as alleged under Section 376(C) of the  
Indian Penal Code is not made out. There is considerable  
delay in institution of the F.I.R. on the night of 14.05.2016  
for the alleged occurrence of 13.05.2016. The accusations  
are on the face of it improbable as the occurrence is said to  
have transpired in the presence of several persons.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner Mukesh Kumar 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., Nawada, in connection with Warisaliganj P.S. Case No. 95 of 2016, subject to the following 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)**

Md. Ibrarul/-

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