

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29448 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
BHABHUA (KAIMUR)

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Sunil Ram, son of Bal Krishna Ram, resident of village- Nuaon, P.S.-
Nuaon, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-09-2016

Heard the counsel for the petitioner and the State.

Petitioner is the son of the accused(s) of Ramgarh
(Nuaon) P.S. Case No. 250 of 2015. He is accused of
Complaint Case No. 04 of 2016 registered under Sections 181,
191, 200 & 420 of the Indian Penal Code.

The allegation is that in affirming an affidavit in
support of the bail application filed on behalf of his parent's,
false statement was made that the accused(s) had not earlier
filed any bail application. Actually, a bail application on behalf
of his parent's was filed, affidavit whereof was affirmed by one
Shashi Bhushan Pandey.

It is submitted that the petitioner being the son was

not aware of any such application earlier filed. In fact, the previous bail application was filed on behalf of the main accused in which the L.T.I. of the parent's of the petitioner was also affixed. The petitioner was not aware. It is further submitted that in the facts of the case, Section 420 may not have any application. The other penal provisions of the IPC are bailable.

In the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in Complaint Case No. 04 of 2016 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that one of the bailors shall be his own/close family member. The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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