

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51208 of 2015

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1. Kanhaiya Jha son of Anand Jha, Resident of village- Ulao, P.S.- Muffasil
(Singhaul), District- Begusarai, Bihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Munna Prasad Singh

For the Opposite Party/s : Mr. J.N. Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 376, 506 of the Indian Penal Code
and Section 4/5 POSCO Act, 2012.

As per First Information Report the allegation of
committing un-natural crime against minor girl by Birju
Kumar has been made. Lot of things have been said against
him but allegation of hurling of threat on victim has been
made against the petitioner. Statement made under section
164 of the Code of Criminal procedure also states story in
what manner Birju Kumar has committed crime against minor
girl. There is no such allegation against the petitioner.

Having considered the facts and circumstances of the

case, let petitioner, Kanhaiya Jha, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I-cum-Special Judge, Begusarai in connection with Muffasil (Singhaul) P.S. Case No. 244 of 2015 (POSCO Case No.38 of 2015), subject to the conditions that (i) one of the bailors shall be father of the petitioner (ii) If the petitioner is found involved in future in similar type of case the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order including cancellation of bail and (iii) petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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