

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5508 of 2017

Arising Out of PS.Case No. -67 Year- 2016 Thana -MAHILA PS District- JEHANABAD

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Pappu Kumar, Son of Late Kailash Mistri, Resident of Village- Madani Chak, P.S. Parsbigha, Distt.- Jehanabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 11.01.2016 in connection with Jehanabad Mahila P.S. Case No. 67 of 2016 for the offences alleged under Sections 376, 354 and 34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely in retaliation to another FIR, namely, Jehanabad P.S. Case No. 550 of 2016 instituted on the very prior day on 08.11.2016 at the instance of the petitioner's wife. The present FIR has been instituted after inordinate delay of about one and half years on 09.11.2016 for the alleged occurrence of 25.05.2015. 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 1st Additional District Judge, Jehanabad in connection with Jehanabad Mahila P.S. Case No. 67 of 2016 with the following conditions:



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, 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.

(Vikash Jain, J)

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