

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12815 of 2017

Arising Out of PS. Case No. -199 Year- 2016 Thana -BIDUPUR District- VAISHALI (HAJIPUR)

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Ravi Kumar, Son of Arun Sah, Resident of Village- Majhauri, P.S.-
Bidupur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma
Mr. Abhishek Kumar, Advocates

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 16.12.2016 in connection with Bidupur P.S. Case No. 199 of 2016 for the offences alleged under Sections 376, 420 and 120B of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and even on perusal of the accusation in the first information report, offences as alleged are not made out against the petitioner. The thrust of accusation is against co-accused Anuradha Sah. It is further stated that the present FIR has been instituted on 12.07.2016 for the occurrence said to have its genesis six months ago. It is further submitted that the FIR is in retaliation to a complaint filed on 08.07.2016 by the said Anuradha Sah against various persons including the informant's maternal grand-father in which the petitioner has been named as a witness. The petitioner claims clean antecedents apart from subsequent complaint case filed by the same informant against the petitioner being Complaint Case No. 1675 of 2016 dated 15.07.2016.

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 Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 199 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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