

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47267 of 2017

Arising Out of PS.Case No. -139 Year- 2017 Thana -BAKHTIYARPUR RAIL P.S. District- PATNA
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Sonu Kumar Son of Ashok Kumar @ Ashok Prasad, Resident of Village-
Sonaru , P.S.- Fatuha , District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar Sinha, Advocate

For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 14.07.2017 in connection with Bakhtiyarpur (Fatuha) Rail P.S. Case No. 139 of 2014 for the offences alleged under Sections 323, 341, 354 A & D, 379 and 307/34 of the Indian Penal Code and Sections 145/147 of the Railway Act.

3. It is submitted that the petitioner has been falsely implicated and no girl has come forward to file complaint or first information report which casts doubt about the veracity of the accusation under Section 354A of the Indian Penal Code. As far as Section 307 of the IPC is concerned, injuries sustained by the informant and one Raushan Kumar are simple in nature. The remaining offences, as alleged, are ornamental in nature. The petitioner claims clean antecedents.

4. Be that as it may, 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, Railway,



Patna in connection with Bakhtiyarpur (Fatuha) Rail P.S. Case No. 139 of 2014, on 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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