

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45414 of 2017

Arising Out of PS.Case No. -137 Year- 2016 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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Kameshwar Gope, Son of Late Hiranman Gope @ Late Hiranman Yadav,
Resident of Village- Dumari, P.S.- Rajgir, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Pravin Kumar, Advocate

For the State : Mr Parmanand Prasad, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 376, 511, 504/34 of Indian Penal Code in which charge
sheet has been submitted under Sections 354B, 380, 504, 506/34
of IPC.

The petitioner submits that he has falsely been
implicated in this case by the wife of his nephew. He submits that
the informant implicated him in this case in an effort to pressurize
with respect to share in the property of his in-laws. He submits
that he has committed no offence. He is aged about 55 years and
he is a man of clean antecedent and is in custody since 23.05.2017.

Considering the aforesaid submissions, prayer for



bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Nalanda at Biharsharif in Mahila Police Station Case No 137 of 2016 dated 03.10.2016 subject to the following conditions:

- (i) *That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.*
- (ii) *That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.*
- (iii) *That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.*
- (iv) *That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.*
- (v) *That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.*

(Madhuresh Prasad, J)

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