

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5525 of 2017

Arising Out of PS.Case No. -13 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

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Manjay Kumar, S/o Rama Paswan, Resident of Village- Govindpur
Rosara, P.S.- Rosara, Distt.- Samsatipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Mahendra Thakur, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 05.12.2016 in connection with Sakra P.S. Case No. 13 of 2015 for the alleged offences under Sections 341, 323, 366(A), 120(B)/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the FIR has been instituted at the instance of the informant belatedly on 10.01.2015 for the alleged occurrence of 18.12.2014. The so-called victim girl had in fact married with the co-accused Avinash Kumar and the petitioner has been falsely implicated merely because he happens to be the distant relative of the said Avinash Kumar. The informant's daughter has been brought back by her brother and has not been recovered by the police and it is under the pressure of her family members that she has given her statement under Section 164 Cr.P.C. Similarly situated co-accused Vinay Kumar Paswan has been granted bail by this Court while other two co-accused ladies namely, Nilam Devi and Shashikala Devi have been granted anticipatory bail by this Court.



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 Sub Judge 13th-cum-A.C.J.M., Muzaffarpur in connection with Sakra P.S. Case No. 13 of 2015 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 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.

(iv) 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.

(Vikash Jain, J)

Chandran/BT

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