

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31967 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -MAHILA PS District- GOPALGANJ

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Jay Nath Kumar Ram, Son of Late Rameshwar Ram, Resident of Village-
Chamanpura, P.S.- Baikunthpur, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Mishra, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 11-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 24.04.2017 in connection with Gopalganj Mahila P.S. Case No. 20 of 2017 for the offences alleged under Sections 493 and 376 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as it is evident from a bare perusal of the first information report itself that the informant is major and there was love affair with the petitioner. The first information report has been instituted after delay of ten days of the occurrence. In the FIR itself it is alleged by the informant that the petitioner had established physical relationship with her two years ago. It is however submitted that no complaint in the past has ever been made which creates grave doubt about the veracity of the occurrence. 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 Sub-Divisional Judicial Magistrate, Gopalganj in connection with Gopalganj Mahila P.S. Case No. 20 of 2017 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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