

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 49341 of 2017

Arising Out of PS.Case No. -365 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Badri Das S/o Rudal Das, R/o Village- Damodarpur Mathiya, P.S.- Malahi,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjay Kumar No-7, Advocate
For the S t a t e : Smt Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

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

Petitioner seeks bail in a case registered under
Sections 366, 363, 323, 506 of Indian Penal Code.

The first information report alleges that when the
informant's daughter became traceless, she had given information
to her son-in-law. It is stated that the son-in-law received some
intimation on his cell phone by one person named Arvind Das. In
response to the said intimation, when the son-in-law went to the
place he was threatened that his wife would be murdered for
coercing marriage with Arvind Das. Counsel for the petitioner
submits that on perusal of the statement made by the victim under



Section 164 of Criminal Procedure Code, it would be quite evident that the instant petitioner, who is father of Arvind Das, has been named by the victim. It is further submitted that this is a case of false implication as earlier identical allegation have been made by the husband of the same victim giving rise to Govindganj Police Station Case No 121 of 2016 in which the instant petitioner was earlier granted bail by this Court vide order dated 06.07.2017 passed in Cr Misc No 29222 of 2017.

Considering the aforesaid submissions, petitioner's 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 Chief Judicial Magistrate, Bettiah, West Champaran in Majhauiliya Police Station Case No 365 of 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 Petitioner will give an undertaking that he will receive the police papers on the given date and be present on the 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.

(iii) 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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