

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59047 of 2017

Arising Out of PS.Case No. -333 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Saroj Rai S/o Late Ramnath Rai, R/o Village- Benipur, P.S.- Kesariya,
District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 30.06.2017 in connection with Kesariya P.S. Case No. 333 of 2016 for the offence registered under Sections 341, 323, 324, 307, 313, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the present case has been lodged in retaliation of Kesariya P.S. Case No. 345 of 2016 which was filed by the mother of the present petitioner against the informant of the present case. It is further submitted that there was land dispute between the parties and both the families are agnates. It is further submitted that the story of miscarriage is created only to harass the present petitioner and the



allegation has been carved out after a lapse of 40 days only to humiliate the petitioner. It is further submitted that the allegation of assault leveled against the petitioner is also farfetched as no injury report was taken on that point of time.

Considering the nature of allegation made against the petitioner and that the petitioner has no criminal antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 11th Additional Chief Judicial Magistrate, East Champaran at Motihar in connection with Kesariya P.S. Case No. 333 of 2016, subject to the following conditions :-

(1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail



bonds shall be liable to be cancelled by the learned Court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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