

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8940 of 2017

Arising Out of PS.Case No. -26 Year- 2014 Thana -SIMULTALA District- JAMUI

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Mahesh Kumar Bhagat @ Mahesh Bhagat, Son of Sitaram Bhagat,
resident of village - Boro, P.O. Mohanpur, P.S. Simultalla, District - Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Amar Prakash, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 03.01.2017 in connection with Simultalla P.S. Case No. 26 of 2014 for the alleged offences under Sections 376 and 506 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated which is evident from the very fact that for the same occurrence earlier a complaint was filed by the informant. A statement is made at the Bar on behalf of the petitioner that such complaint has already been dismissed. The informant has also filed Maintenance Case No. 102M/2015 on the ground that the petitioner is her husband.

4. Having regard to the entirety of the facts and circumstances of the case as well as the period of custody since



03.01.2017 already suffered, 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 Chief Judicial Magistrate, Jamui in connection with Simultalla P.S. Case No. 26 of 2014 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/lbrar

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