

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2919 of 2017

Arising Out of PS.Case No. -125 Year- 2015 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Anuj Kumar, S/o Ram Pravesh Bind, Resident of village-Bishunpur,
Police Station-Ekangarsarai, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-02-2017 The petitioner is in custody since 24.11.2016 in connection with Ekangarsarai P.S. Case No. 125 of 2015, registered for offences punishable under Sections 341, 323, 354(B), 366(A), 376 and 511 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that out and out false and frivolous allegations have been levelled against this petitioner as the alleged occurrence is of 02.04.2015 whereas the present complaint case was filed on 15.02.2015. It has further been submitted that the petitioner side has also filed a case against the informant side for kidnapping of his son, however the police initially did not institute the case for an offence of 04.04.2015 but later on it was instituted and only in retaliation, the present complaint case has been filed. The petitioner has been in custody since 24.11.2016

Heard learned A.P.P. also.

Having heard both sides, in view of the fact there is case



and counter case between the parties and also considering the materials available on record and the period of detention, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Hilsa, Nalanda in connection with Ekangarsarai P.S. Case No. 125 of 2015, subject to the following conditions.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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