

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2137 of 2018

Arising Out of PS.Case No. -247 Year- 2017 Thana -SABAUR District- BHAGALPUR

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Md. Abbas, Son of Md. Israel @ Ishrail, resident of Village- Sakiyagarhi,
P.S.- Sabour, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.09.2017 in connection with Sabour P.S. Case No. 247 of 2017 for the offences alleged under Sections 366, 363, 504 and 506/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as even according to the F.I.R. the so-called victim is a mature lady with two children of 8 years and 4 years of age. It is further pointed out from the F.I.R. that the so-called victim voluntarily left home with her ornaments and Rs. 15,000/- in cash and it is therefore submitted that the ingredients of the offences alleged are not made out. The F.I.R. has been instituted after a considerable delay of about one week on 24.08.2017 for the alleged



occurrence of 17.08.2017 even though the informant had knowledge on 17.08.2017 itself. The husband of the lady has not come forward rather her mother-in-law is the informant of the case. 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 Additional Chief Judicial Magistrate-X, Bhagalpur, in connection with Sabour P.S. Case No. 247 of 2017, 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 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)

Md. Ibrarul/-

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