

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24719 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -ADHAURA District- BHABHUA (KAIMUR)

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Durga Agariya son of Nandu Agariya R/o Village Bahabar, P.S. Adhaura,
District Kaimur at Bhabua.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 9.3.2018 in connection with Adhaura P.S. Case No.18 of 2018 for the offences alleged under Sections 366(A)/379 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and there is an inordinate delay of six days in recording the fardbeyan on 8.3.2018 for the alleged occurrence of 2.3.2018. The statement of the so-called victim girl has been recorded on the very day of institution of the F.I.R. on 8.3.2018 but the version in her deposition is quite different from the allegations in the F.I.R. which casts serious doubt about the veracity of accusation against the petitioner, who claims clean antecedent.

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 the like amount leach to the satisfaction of learned Judicial Magistrate 1st Class, Kaimur at Bhabua, in connection with Adhoura P.S. case No.18 of 2018, 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)

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