

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52450 of 2018

Arising Out of PS. Case No.-571 Year-2008 Thana- FORBESGANJ District- Araria

Rajendra Bahardar S/o Hira Lal Bahardar @ Hira Nand Bahardar, R/o Vill.-
Kavilasi, P.S.- Simraha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 10-10-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with S.T. No. 221 of 2017 arising out of Fobesganj P.S. Case No. 571 of 2008 registered for the offences punishable under Sections 365 and 366 of the Indian Penal Code.

Informant has alleged that petitioner had enticed his minor daughter on 15.12.2008 at about 4:30 P.M. when his minor daughter had gone to the market with Rs. 10,000/-. After completion of investigation police submitted charge-sheet and charges under Sections 366A and 376 of the Indian Penal Code has been framed against petitioner. Petitioner has submitted that he is innocent and has been falsely implicated in this case. The



incident is of 15.12.2008 however F.I.R. was instituted on 19.12.2008. Petitioner had earlier moved this court for grant of regular bail which was dismissed on 13.12.2017 as contained in Annexure-1 of this petition. Petitioner is in custody since 28.05.2017 and he has no criminal antecedent.

Considering the facts and circumstances of the case let petitioner be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Araria in connection with S.Tr. No. 221 of 2017 arising out of Forbesganj P.S. Case No. 571 of 2008 with conditions :

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case case diary,



prosecution will be at liberty to move for cancellation
of bail of the petitioner.

(S. Kumar, J.)

Rajiv/Manoj-

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