

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5552 of 2018

Arising Out of PS.Case No. -22 Year- 2016 Thana -MOTIHARI RAIL P.S. District-
WESTCHAMPARAN(BETTIAH)

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Lal Mohan Rai, son of Deeplal Rai, Resident of Village- Laxmipur
Katihariha, P.S.- Lakhaura, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 06.11.2017 in
connection with Motihari Rail P.S. Case No.22 of 2016, Trial
No.945 of 2017, registered for the offence under Sections 419,
420, 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that
altogether false and fabricated allegation has been levelled
against the petitioner that he had cheated the informant of
Rs.5,000/- on the pretext of recovery of the girl, who had been
kidnapped from Patna. It is further submitted that neither the
number of the mobile belonged to him nor has any money
exchanged hands between himself and the informant. He further



submits that because the number of the mobile belonged to his brother who has also been taken into custody, the petitioner has also been implicated in this case.

Considering the vague nature of allegations made against the petitioner, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Rail Judicial Magistrate-Cum-ACJM, Railway Court, Bettiah, in connection with Motihari Rail P.S. Case No.22 of 2016, Trial No.945 of 2017, subject to the following conditions:

(1) One of the bailors will be his own relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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