

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 16596 of 2018

Arising Out of PS.Case No. -222 Year- 2017 Thana -BUXAR MUFFSIL District- BUXAR

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Jai Prakash Sah S/o Kanhaiya Sah Resident of Village- Mohanpur, P.S.
Sikraul, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Birendra Kumar Singh, Advocate

For the S t a t e : Mr Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 27-04-2018

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 366A/34 of Indian Penal Code.

It is submitted by the petitioner's counsel that the
prosecution is false and fabricated inasmuch as the victim is
married lady, wife of the informant. From the first information
report, it would be evident that it is his allegation that she has left
the house with her jewellery and cash. The same stands
contradicted by the deposition of the victim recorded under
Section 164 of Criminal Procedure Code which makes an
allegation of her abduction from the college premises. However,
no information has been lodged by any one and the first



information report has been lodged after delay of three days. Petitioner has no criminal antecedent and he is in custody in connection with this case since 10.01.2018.

Considering the aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Buxar in Buxar (Mufassil) Police Station Case No 222 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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