

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17545 of 2018

Arising Out of PS.Case No. -361 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Vijay Ram S/o Mohan Ram Resident of Village- Bahurupiya, P.S.
Turkaulia, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 03-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 302,201/34 of
the Indian Penal Code and 27 of the Arms Act.

It is submitted by the petitioners' counsel that this is a
case of false implication as the petitioner is a *bonafide* purchaser
of the land from the deceased in the year 2016. He submits that
one complaint case was earlier lodged by the deceased against the
petitioner alleging rape. He submits that the same has been
dismissed for lack of evidence. Falsity of the allegations made in
the FIR is evident wherein divergent allegations from that in the
earlier complaint case have been made regarding the petitioner
having married with the deceased. The allegation is made by the
sister. Other co-accused have been allowed bail in Cr. Misc. No.



18680 of 2018. Petitioner is in jail custody since 20.09.2017

In the facts and circumstances of the case, prayer for bail of the petitioner 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 **Chief Judicial Magistrate, East Champaran, Motihari in Harsidhi P.S. Case No. 361 of 2017** subject to the conditions :

- (i) 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.
- (ii) 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)

Prakash/-

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