

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3646 of 2019

Arising Out of PS. Case No.-141 Year-2014 Thana- TURKAULIYA District-
East Champaran

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Jogi Rai @ Yogi Ray (M) aged about 46 years, son of Punit Rai, resident of
Vill- Govindpur, P.O.- and P. S. Turkauliya, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Partys

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Appearance :

For the Petitioner : Mr. Pravin Kumar, Advocate.

For the Opposite Party: Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 363, 366(A)/34 of the Indian Penal Code
registered in connection with Turkaulia P.S. Case No. 141 of 2014.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion as the petitioner was seen talking
to co-accused Sikander Rai. The victim has since been recovered
who has assessed her age about 18 years. In her deposition
recorded under Section 164 Cr. P.C. , she has made accusation
against co-accused Gonnu Rai and the name of the petitioner has
not been taken by her. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, in the event of the
petitioner's arrest or surrender before the court below within six
weeks from the date of communication of this order, let the above
named petitioner be released on bail on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of like amount each



to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkaulia P.S. Case No. 141 of 2014, subject to the conditions as laid down Section 438 (2) Cr.P.C., and also subject to the following further 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) 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.

(iv) 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.

(Vikash Jain, J)

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