

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10716 of 2019

Arising Out of PS. Case No.-395 Year-2018 Thana- DIGHA District- Patna

Manoj Rai @ Manohar Rai @ Manoj Kumar (Male) aged about 25 years son of Ravindra Rai @ Ravindra Prasad Resident of Village-Nakta Diyara, P.S.- Digha, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Kamlesh Prasad Yadav, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 26-04-2019 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 and 365 of the Indian Penal Code registered in connection with Digha P.S. Case No. 395 of 2018.

3. It is submitted that the petitioner has been falsely implicated and admittedly there is money dispute between the parties. Except a bald averment in the FIR imputing a statement to the petitioner that he had taken away the informant's daughter, there is no objective material to connect the petitioner with the alleged occurrence. The petitioner claims clean antecedents.

4. Be that as it may, 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, Patna in connection with Digha P.S. Case No. 395 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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) That 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.

(iv) That 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.

(Vikash Jain, J)

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