

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.14412 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- BUXAR District- Buxar *

UPENDRA BHAR, aged about 30 years, Male, Son of Bansh Narayan Bhar,
Resident of Village- Gajadharganj, P.S.- Buxar (Town) District- Buxar
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Ajit Kumar, Adv.
For the Opposite Party : Mr. Amarendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-03-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
10.01.2019 in connection with Buxar (T) P.S. Case No. 23 of
2019 for the offences alleged under Sections 147, 149, 447, 341,
323, 354B, 379 and 504 of the Indian Penal Code and under
Section 37(ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the informant, is
that the petitioner along with another named co-accused with 4-
5 unnamed in an intoxicated condition, entered the house and
tried to outrage the modesty of informant's daughter and also
assaulted the informant with fists and slaps and snatched away
the gold ear-rings of the informant.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated due to inimical terms with the
informant. He submits that no such incident occurred and the
petitioner undertakes to cooperate in the investigation not to



induce witnesses or tamper with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State vehemently opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail, **on completion of four months in custody**, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Buxar (T) P.S. Case No. 23 of 2019 to the satisfaction of the learned Additional District Judge II-cum-Special Judge, Excise Act, Buxar, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Shamshad/-

U		T	
---	--	---	--

