

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23322 of 2019**

Arising Out of PS. Case No.-390 Year-2018 Thana- JOGAPATTI District-
West Champaran

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RAM HARAN RAM @ RAJHARAN KUMAR RAM @ RAJ HARAN RAM, aged
about 23 years, male, Son of Birendra Ram Resident of Village -
Bathwariya, P.S.- Jogapatti (Nawalpur), Distt - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-04-2019 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, 366(a)/34 of the Indian Penal Code
registered in connection with Jogapatti (Nawalpur) P.S. Case No.
390 of xxxx2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of negotiations of marriage between
the informant's daughter and the petitioner merely to put
pressure as the informant apprehended that there would be
delay in the marriage. It is submitted that thereafter the marriage
has been solemnized between the informant's daughter and the
petitioner as acknowledged by the informant and in this regard



the petitioner filed a petition before the learned Chief Judicial Magistrate, Bettiah, West Champaran. 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 provisional 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, Bettiah, West Champaran in connection with Jogapatti (Nawalpur) P.S. Case No. 390 of 2018, subject to the conditions as laid down under 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) 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.

(iv) 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.

(v) That the petitioner shall appear before the learned Court below along with the informant's daughter within a period of six weeks from today.

5. The provisional bail shall be confirmed upon verification and satisfaction by the learned Court below that the informant's daughter and the petitioner have been married as claimed by the petitioner. In case the petitioner fails to appear along with the informant's daughter before the learned Court below or it is found that they have not been married, the provisional bail shall stand automatically cancelled.

lbrar/BT

(Vikash Jain, J)

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