

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22729 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- KHAJANCHI HAT District- Purnia

Rahul Kumar, aged about 24 years, M, Son of Amar Mahto Resident of Village - Raj Nagar, P.S.- K. Hat, District - Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Amresh Kumar Sinha, Miss Preety Kunwar, Advocates
For the State	:	Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-04-2019 Heard learned senior counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 354(B), 504 and 506 of the Indian Penal Code registered in connection with K. Hat (Sahayak) P.S. Case No. 71 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of past good relationship between the parties but went away to Delhi for study. The informant tried to contact the petitioner on mobile phone to which the petitioner did not respond leading to institution of the present FIR merely to create pressure upon him. It is submitted that even on perusal of the FIR, the ingredients of offence under Section 354(B) of the IPC are not made out and other provisions of the IPC are bailable in nature. 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, Purnea in connection with K. Hat (Sahayak) P.S. Case No. 71 of 2019, subject to the conditions as laid down under Section 438 (2) 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.

BT/-

(Vikash Jain, J)

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