

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23274 of 2019

Arising Out of PS. Case No.-352 Year-2018 Thana- KARAHGAR District- Rohtas

ARVIND KUMAR @ ARVIND THAKUR Son of Brihaspati Sharma @
Brihaspati Thakur @ Brihaspi Thakur, Resident of Village-Chilharua @
Cenharua, Police Station-Chenari, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-04-2019 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, 366A IPC registered in connection with Kargahar P.S. Case No. 352 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the friend of Sonu Kumar with whom the informant's daughter had voluntarily eloped as evident from her statement recorded under Section 164 Cr.P.C. There is delay in institution of the FIR 11.09.2018 for the alleged occurrence of 05.09.2018. It is therefore, submitted that the ingredients of Section 366A of IPC are not satisfied. 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 ACJM, Rohtas at Sasaram, in connection with Kargahar P.S. Case No. 352 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 co-operate 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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