

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77244 of 2018

Arising Out of PS. Case No.-30 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

SHEMAL SINGH @ SHYAMAL KUMAR SINGH @ @ SHYAM LAL
KUMAR SINGH Son of Sagar Prasad Singh, Resident of Village- Gopalpur,
P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Thakur
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 354(B), 504, 506 and 34 IPC read with
Section 12 of the POCSO Act registered in connection with Mahila
P.S. Naugachia Case No. 30/2018.

3. It is submitted that the petitioner has been falsely
implicated and there is case and counter case between the
parties. There is a delay of about two days in institution of the
FIR on 31.05.2018 for the alleged occurrence of 29.05.2018. The
parties are gotia and clearly there is land dispute between them.
The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the
facts and circumstances, 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 A.D.J-cum-Special Judge, POCSO Act, Bhagalpur, in connection with Mahila P.S. Naugachia Case No. 30/2018 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)

Chandran/-

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