

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22706 of 2019

Arising Out of PS. Case No.-422 Year-2018 Thana- ARA NAGAR District- Bhojpur

Vinay Kumar Tiwary aged about 46 years Male, Son of Late Ram Bihari Tiwari @ Late Rasbihari Tiwari Permanent Resident of Village - Harnathpur, P.S.- Brahmpur, District - Buxar at present R/o Mohalla Umanagar Chandwa, P. S.- Ara Nawada District - Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Uday Kumar, Advocate
For the State : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code registered in connection with Ara Town P.S. Case No. 422 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the complaint has been filed belatedly on 30.06.2018 for the alleged occurrence upto 05.06.2018. Such complaint has been filed in retaliation to the petitioner's earlier Complaint Case No. 1117 of 2018. Moreover, a copy of *Mahadnama* filed by the petitioners was not objected to by the complainant at the relevant time which was filed after serving a copy of the same upon the complainant. The only other case namely, Ara Nawada P.S. Case No. 77 of 2017 in which the petitioner has also been made accused, has also been filed by the same informant.

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, Bhojpur, Ara in connection with Ara Town P.S. Case No. 422 of 2018, 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)

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

