

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25985 of 2019**

Arising Out of PS. Case No.-503 Year-2018 Thana- BAGHA District- West Champaran

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RAMESH KUSHWAHA (AMIN) @ RAMESH BHAGAT @ RAMESH  
KUSHWAHA Son of Brirjha Bhagat @ Briksh Bhagat Resident of Village -  
Katkuiya, P.S.- Semra, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Baxi S.R.P.Sinha, Sr. Advocate  
Mr. Vijay Kr Singh No. 1, Adv  
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      22-04-2019      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 406, 493, 504 and 506 IPC registered in connection with Bagaha (Pathkauli) P.S. Case No. 503/2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of intimate relation having developed between the parties and thereafter the petitioner said to have also developed relationship with one Munni Devi. There is considerable delay in institution of the FIR and for the alleged occurrence of 22.09.2018 fardbeyan has been recorded on 14.10.2018. It is submitted that there is no material to support the claim of the informant of having given Rs. 1,00,000/- to the petitioner. It is further submitted that the ingredients of Section 493 IPC are also not made out on the averments made in the FIR as the petitioner never deceitfully induced a belief of lawful marriage. 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 Ist, Bagaha, District West Champaran, in connection with Bagaha (Pathkauli) P.S. Case No. 503/2018, 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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