

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24473 of 2019

Arising Out of PS. Case No.-669 Year-2018 Thana- KHAGARIA District- Khagaria

PIYUSH KUMAR S/o Munna Yadav @ Sarvesh Kumar R/o village- Morkahi
Tola (Bichala), P.S.- Muffasil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 23-07-2019 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, 504, 506,509,354(B),379 IPC and Section 67 of the I.T.Act registered in connection with Khagaria P.S. Case No. 669 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the accusations are highly improbable and doubtful. There is inordinate delay in institution of the FIR on 28.09.2018 for the alleged occurrence of 24/25.01.2018. It is not expected that the informant could visit a lonely place near the *samshanghat* at 10.30 p.m. in the night upon being asked by the petitioner to do so. The accusation under the I.T. Act is not corroborated as there is no material to show that her photograph had been uploaded or made viral. 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



CJM, Khagaria, in connection with Khagaria P.S. Case No. 669 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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