

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26822 of 2019**

Arising Out of PS. Case No.-441 Year-2017 Thana- RAJAON District- Banka
=====

CHULHAY PASWAN, aged about 41 years, male, Son of Narayan Paswan
Resident of Village- Mohana, P.S.- Rajoun, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Nandad Prasad, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 24-04-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 323, 341, 354(A), 452, 504 and 506 of the
Indian Penal Code registered in connection with Rajoun P.S. Case
No. 441 of 2017.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of petty dispute. The accusation
relating to outraging of modesty is completely false and in any
event the offence under Section 354(A) IPC is bailable. The
petitioner denies that any occurrence of the nature alleged ever
occurred and he did not enter the house of the informant. 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 Chief Judicial Magistrate, Banka in



connection with Rajoun P.S. Case No. 441 of 2017, 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 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.

(iv) 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.

(Vikash Jain, J)

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