

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31818 of 2019**

Arising Out of PS. Case No.-239 Year-2018 Thana- BASOPATTI District- Madhubani

Prashant Kumar Jha, Male, Aged about 20 years Son of Late Ramakant Jha  
Resident of Village - Ghorbanki Tole, Loharpatti, P.S.- Basopatti, District  
Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Ugranath Mallik, Advocate  
For the Opposite Party : Mr.Pancha Nand Pandit, APP

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

2      15-05-2019                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest for the offences  
alleged under Section 365 of the Indian Penal Code registered in  
connection with Basopatti P.S. Case No. 239 of 2018.

3. It is submitted that the petitioner has been falsely  
implicated on mere suspicion, except which there is no objective  
material to connect him with the alleged occurrence. There is some  
delay in instituting the FIR on 06.10.2018 for the alleged occurrence  
of 29.09.2018. The house of the petitioner is adjacent to the house of  
the informant. The petitioner works for his livelihood in Delhi  
leaving his widow mother at the house and the informant with a view  
to grab the house of the petitioner has lodged the present FIR. The  
allegation against the petitioner that he is an anti-social element with  
criminal propensity is belied from the very fact that the petitioner has  
clean antecedent.

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, Madhubani in connection with Basopatti P.S. Case No. 239 of 2018, subject to the conditions as laid down under Section 438 (2) of the 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.

**(Vikash Jain, J)**

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