

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37293 of 2019

Arising Out of PS. Case No.-171 Year-2018 Thana- JANTA BAZAR District- Saran

Abhyas Kumar(Male), aged about 32 years, Son of Dhruwnath Prasad
Resident of Village-Lahaladpur, P.S.-Janta Bazar, District-Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-07-2019 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, 323, 367, 368, 498(A) and 34 of the Indian Penal Code registered in connection with Janta Bazar P.S. Case No. 171 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the accusations in the complaint/FIR do not constitute the ingredients of the offence alleged in absence of accusation of any demand whatsoever. There is considerable delay in filing the complaint on 24.09.2018 for the alleged occurrence of 10.01.2018 to 29.07.2018. The allegation that the petitioner's side had earlier kidnapped the informant and for which Janta Bazar P.S. Case No. 70 of 2014 had been lodged, has been found to be not true and final form has been submitted by the police on 31.10.2014 (Annexure-4 to the supplementary affidavit). There is nothing on record to indicate that the informant has suffered any injury. Except Janta Bazar P.S. Case No. 70 of 2014, 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 Additional Chief Judicial Magistrate-V, Saran at Chapra in connection with Janta Bazar P.S. Case No. 171 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)

BT/-

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

