

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37465 of 2019**

Arising Out of PS. Case No.-10 Year-2019 Thana- MAHILA P.S. District-
Kishanganj

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JEETU SHARMA @ JITENDRA SHARMA @ JITENDRA KUMAR SHARMA,
aged about 33 years, male, S/o Shankar Sharma R/o village- Nawab Road,
Khagra, P.S.- Kishanganj, District- Kishanganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 376, 504, 506/34 of the Indian Penal Code
registered in connection with Kishanganj Mahila P.S. Case No. 10
of 2019.

3. It is submitted that the petitioner has been falsely
implicated and there is inordinate delay in institution of the F.I.R.
on 08.03.2019 for the written report on 20.02.2019 alleging the
offence over the preceding ten months. The falsity of the case is
apparent from the affidavit sworn by the informant's father
himself, stating that the informant herself is a women of
mischievous character and criminal tendencies, stating that she
has falsely implicated the petitioner, in the present case. The
informant has also implicated the parents of the petitioner. 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 Sub-Divisional Judicial Magistrate, Kishanganj in connection with Kishanganj Mahila P.S. Case No. 10 of 2019, 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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