

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38718 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- MAHILA PS District- Buxar

HALCHAL PANDEY Son of Bhuvaneshwar Pandey Resident of Village -
Kajaria, P.S.- Rajpur, District - Buxar at present resident of Mohalla -
Sumeshwar Asthan, Near Sainik School (Jail Road), P.S.- Buxar (Town),
District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 354(K), 354(Kh) and 506 IPC registered in connection
with Mahila P.S. Case No. 07 of 2019.

3. It is submitted that the petitioner has been falsely implicated
and there is delay of four days in instituting the FIR on 19.02.2019 for
the alleged occurrence of 15.02.2019. Even according to the FIR it is
alleged that the petitioner had been indulging in such undesirable
activities from more than two months, but no such complaint was filed
earlier. It is further submitted that on a perusal of the FIR the
ingredients of offences under Sections 354(K), 354(Kh) IPC are not
made out against the petitioner. Moreover, the accusation that the
petitioner was putting pressure on the informant for marriage is
manifestly improbable considering that he is a married man having
two daughters. 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 SDJM, Buxar in connection with Mahila P.S. Case No. 07/2019, 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 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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