

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53073 of 2018

Arising Out of PS. Case No.-146 Year-2018 Thana- CHHATAPUR District-
Supaul

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Tej Narayan Sardar S/o Janardan Sardar, R/o Vill.- Ratansar, P.S.-
Chhatapur, District- Supaul.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nafisuzzoha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 24-01-2019 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, 354B of the Indian Penal Code registered in connection with Chhatapur P.S. Case No. 146 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of Chhatapur P.S. Case No. 138 of 2018 filed by the petitioner's relative Mosiya Devi against the husband of the present informant. The parties are related and there is land dispute between them. There is delay in instituting the F.I.R. on 12.05.2018 for the alleged occurrence of early morning on 11.05.2018. It is submitted that even on the accusations in the F.I.R. the ingredients of the offence under Section 354B of the Indian Penal Code are not made out. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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-IV, Supaul in connection with Chhatapur P.S. Case No. 146 of 2018, 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) 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) 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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