

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69225 of 2018**

Arising Out of PS. Case No.-888 Year-2016 Thana- COMPLAINT CASE
District- Banka *

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Md. Sajub Son of Kallu Mastan Resident of Village-Maharana,P.S. Barahat,
Distt.-Banka

... .. Petitioner

Versus

1. The State Of Bihar
2. Bibi Noori Khatoon, W/o Md. Salmam, Daughter of Sakim, R/o village-
Maharana, P.S. Barahat, District- Banka.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Brij Nandad Prasad, Advocate.
For the O.P. No. 2 : None
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 11-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 452, 354, 323 and 506/34 of the Indian
Penal Code registered in connection with Complaint Case No. 888
of 2016.

3. It is submitted that the petitioner has been falsely
implicated and there is delay in filing the complaint on
03.08.2016 for the alleged occurrence of 31.07.2016. The
complaint has been filed to put pressure upon the petitioner after
break down of negotiations of marriage. The petitioner claims
clean antecedents.

4. Despite valid service of notice on opposite party no.
2, no appearance has been entered on her behalf nor she
represented when the matter is called today.

5. 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 Sri Roushan Kumar, learned Judicial Magistrate 1st Class, Banka in connection with Complaint Case No. 888 of 2016, 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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