

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49036 of 2019

Arising Out of PS. Case No.-93 Year-2017 Thana- KASMA District- Aurangabad

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KRISHNA SAW Son of Mahangu Saw @ Mahgu Saw Resident of Village-
Arthua, P.S.- Kasma, Distt- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 04-09-2019 Heard learned Counsel for the petitioners and the
learned APP for the State.

The petitioner seeks bail in a case registered under
Section 377 of the Indian Penal Code and Section 67(A) of the
I.T.Act pending in the Court of ACJM VI Aurangabad.

Petitioner's Counsel submits that after rejection of
petitioner's prayer for bail on the earlier occasion the matter has
been compromised between the petitioner and the victim. The
compromise is Annexure 3 to the bail application and the same
is dated 6.12.2018. It is submitted that prosecution case is out
and out a false case and the FIR was instituted roughly sixty
days after the alleged occurrence.

Having considered the aforesaid submission this
Court is inclined to allow the petitioner's prayer for bail.



Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM VI Aurangabad in Kasma PS Case No. 93 of 2017, GR No. 1933 of 2017, T.R. No. 1326 of 2019 subject to the conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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