

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52518 of 2019**

Arising Out of PS. Case No.-177 Year-2019 Thana- PARSABAZAR District-
Patna

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MANOJ RAI, aged about 40 years, male, Son of Sagina Rai Resident of
Village - Nisarpura, P.S.- Parsa Bazar, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shakti Suman Kumar, Advocate.

For the Opposite Party: Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-08-2019 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, 354, 379, 324, 504 and 34 of the
Indian Penal Code registered in connection with Parsa Bazar P.S.
Case No. 177 of 2019.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute between two brothers,
co-accused Chotan Rai and the informant Ram Pravesh Rai. There
is case and counter case between the parties and the present
F.I.R. is a counter blast of Parsa Bazar P.S. Case No. 178 of 2019
lodged by the wife of co-accused Chotan Rai. The petitioner is
the son-in-law of aforesaid co-accused Chotan Rai and has no
concern with the land dispute. The accusation of assault is
against other co-accused. It is submitted that the accusation of
outraging modesty of the daughter-in-law of co-accused Chotan
Rai is highly improbable considering the relationship among the
parties. The petitioner claims clean antecedents.



4. Learned APP appears and has been heard.

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 learned Sub-Judge III cum Additional Chief Judicial Magistrate, Patna in connection with Parsa Bazar P.S. Case No. 177 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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