

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51029 of 2019

Arising Out of PS. Case No.-137 Year-2018 Thana- HASPURA District- Aurangabad

Md. Raja Khan @ Md. Raja Aged 30 years (Male) Son of Md. Salahuddin Khan, Resident of Mohalla-Ansar Nagar, Nawada, Police Station-Bundel Khand (Town Nawada), District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Chandra Sen Prasad Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 366 and 379/34 of the Indian Penal Code registered in connection with Haspura P.S. Case No. 137 of 2018.

3. It is submitted that the petitioner has been falsely implicated and as a matter of fact, the informant's daughter-in-law, namely, Noorus Saba had voluntarily accompanied the petitioner with whom there was love affair even prior to marriage. The said Noorus Saba has approached this Court in Cr.W.J.C. No. 2581 of 2018 alleging apprehension about her life at the hands of the in-laws (Annexure-2). The father of the girl, however, has sworn an affidavit to the effect that his daughter left her matrimonial home and voluntarily ran away with the petitioner, who 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 Sri Sidharth Pandey, learned Judicial Magistrate, Daud Nagar (Aurangabad) in connection with Haspura P.S. Case No. 137 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) 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.

(Vikash Jain, J)

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