

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60315 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- PIYAR District- Muzaffarpur

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Ajit Kumar Son of Kedar Mehta @ Kedar Nath Mehta @ Kedar Nath Mahato
Resident of Village - Simra, P.S.- Piar, Dist.- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Anish Kumar, Advocate
For the Opposite Party : Mr.Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner,

informant and the learned APP for the State.

The petitioner seeks bail in connection with

Piar P.S. Case No. 116 of 2019, G.R. Case No.
3600 of 2019, instituted for the offence under
Section 376 of the Indian Penal Code.

Learned counsel for petitioner submits that

from the agreement (Annexure-2) executed by the
informant, it is evident that she has constructed
her house on money obtained from the petitioner.
Annexure-3 is a 'Sanha' lodged by the petitioner
before the Authorities at Muzaffarpur, to the extent
that upon demand being made for refund of the



amounts given to the informant he is being threatened by the informant. In this background, the submission is made regarding the false implication in the instant case. It is further highlighted that the petitioner is a man of clean antecedents as per averments made in paragraph No.3 of the bail petition and he is in custody since 06.07.2019.

Learned counsel for the informant, on the other hand, has appeared and opposed the prayer for bail by submitting that the petitioner is a man of means and has been intimidating and taking undue advantage of the informant's status as a single woman separated from her husband.

Upon hearing counsel for the parties and going through the allegations made in the First Information Report which also do not disclose any allegation whatsoever with reference to any difference and, project a highly improbable depiction of the allegations, this Court is inclined to allow the petitioner's prayer for bail.



Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the **Judicial Magistrate 1st class Muzaffarpur**, in connection with **Piar P.S. Case No. 116 of 2019, G.R. Case No. 3600 of 2019,,** subject to the following 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 and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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