

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63434 of 2019

Arising Out of PS. Case No.-283 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

RAHUL KUMAR @ RAHUL Son of Sri Lal Babu Prasad Resident of
Mohalla - Hospital Road Beta, P.S.- Laheriasarai, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv Ms. Babita Kumari, Adv
For the Opposite Party/s	:	Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 419, 420 of the Indian Penal Code registered in connection with Laheriasarai P.S. Case No. 283 of 2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having taken Rs. 22,000/- from the brother of Shiv Shankar Prasad to rescue him in connection with Laheriasarai P.S. Case No. 263 of 2019 in which the said Shiv Shankar Prasad had been called by the police for enquiry a day prior. It is submitted that the entire prosecution story is baseless as the said Shiv Shankar Prasad is not an accused in Laheriasarai P.S. Case No. 263 of 2019 at all. Moreover, there is no material to corroborate the accusation of payment of Rs. 22,000/- to the petitioner, which in any case is said to have been paid with illegal object and is quite improbable. The petitioner 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 learned CJM, Darbhanga at Laheriasarai, in connection with Laheriasarai P.S. Case No. 283 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 co-operate 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. 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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