

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65905 of 2019**

Arising Out of PS. Case No.-486 Year-2017 Thana- DANAPUR District-
Patna

=====

SHASHI BHUSHAN PANDEY S/O Late Tarkeshwar Pandey Resident of
Mohalla- Kaysth Toli, Awsthi Ghat, P.S.- Danapur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Kumar, Advocate.

For the Opposite Party: Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 376, 511 of the Indian Penal Code
registered in connection with Danapur P.S. Case No. 486 of 2017.

3. It is submitted that the petitioner has been falsely
implicated and the accusations are highly improbable as the
informant is none other than the petitioner's daughter-in-law.
The F.I.R. has been lodged as the petitioner is proposing to sell
his land which is being opposed by the informant. There is delay
of about five months in institution of the F.I.R. on 26.07.2017 for
the alleged occurrence of 10.02.2017 and for the same allegation,
the informant had also filed Complaint Case No. 481C of 2016 in
which the petitioner has been granted anticipatory bail.

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 Additional Chief Judicial Magistrate 1st, Danapur, Patna in connection with Danapur P.S. Case No. 486 of 2017, 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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