

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66872 of 2023

Arising Out of PS. Case No.-175 Year-2020 Thana- RAGHOPUR District- Vaishali

NARESH DAS SON OF LATE ETWARI DAS RESIDENT OF VIALLAG
BAHRAMPUR, PS- RAGHOPUR DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No. 624 of 2022 arising out of Raghopur P.S. Case No.
175 of 2020 registered on 28.11.2020 lodged under Sections
323, 376, 511, 506 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
by the daughter against her father in which there is allegation of
committing rape of daughter.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 29.11.2020 which is about two years and
nine months having clean antecedent. Moreover, the charges has
already been framed in this case. He further submits that the



said case has been filed by the daughter at the instance of her family members with whom the informant's husband have inimical relation.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Vaishali at Hajipur in connection with S.Tr. No. 624 of 2022 arising out of Raghapur P.S. Case No. 175 of 2020, subject to the following conditions as well as the subject to the condition laid down as under 437(3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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