

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8876 of 2015

Arising Out of PS.Case No. -170 Year- 2014 Thana -CHAPRA MUFFASIL District- SARAN

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Chikku Kumar Singh @ Ved Prakash son of Shambhu Singh Residents of
Village - Dahiyawan Tola, P.S. - Chapra Muffasil, District - Saran at
Chapra.

.... Petitioner

Versus

State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : M/s. Bindhyachal Singh and
Rajeev Kumar, Advocates

For the Informant : M/s. Ashok Kumar Dubey,
Mamta Vijya and
Uma Shankar Singh, Advocates

For the State : Mr. R.B.S.Pahapuri, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 30-11-2015 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the State and learned counsel
appearing on behalf of the informant.

The petitioner is apprehending his arrest in
connection with Chapra Muffasil P.S. Case No.170 of 2014
registered for the offences punishable under Sections 328, 302,
379/34 of the Indian Penal Code.

Case diary in the present case was called for earlier
which has since been received.

Learned counsel for the petitioner submits that the
allegation against the petitioner is wholly vague and misconceived



and is based on mere suspicion. He further submits that in the F.I.R. , the petitioner along with his brother namely one Nikku Kumar Singh are said to have been peeping from near a Mandir at the time the informant's daughter had left the house at about 12.00 Noon. Learned counsel for the petitioner submits that even if the allegation be taken as a whole, so far as this petitioner is concerned, save and except the allegation that he had been peeping from outside the Mandir while the informant's daughter had left the house, there is no further material in the case diary so as to indicate his complicity in the case.

Learned counsel for the informant, however, has seriously opposed the application of the petitioner for grant of anticipatory bail on the ground that these two petitioners have been harassing the daughter of the informant and have been preventing her marriage. It is further submitted on behalf of the informant that several other independent witnesses have indicated the complicity of this petitioner as having first taken away the informant's daughter and thereafter, she was found dead having been poisoned.

Learned counsel for the State has after perusal of the case diary submitted that she had been communicating with one Nikku Kumar Singh but so far as this petitioner is concerned, there

is no further material save and except that in the F.I.R. it is stated that he had been seen at the time girl was leaving her home.

Considering the aforementioned facts and circumstances and the material available in the case diary and also the fact that there is no cogent material to indicate that this petitioner had ever communicated with the victim girl or was seen last with the victim girl and that he has no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No.170 of 2014, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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