

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46512 of 2014

Arising Out of PS.Case No. -234 Year- 2013 Thana -BIBHUTIPUR District- SAMASTIPUR

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Biro Singh @ Birendra Singh S/o Ramraji Singh, resident of village
Karrakh, P.S. Bibhutipur Dist. Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad

For the Opposite Party : Mr. R.P.S Singh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 24-06-2015

Heard the parties.

The petitioner apprehends his arrest in connection with Bibhutipur P.S. case no. 234 of 2013 registered under Sections 364,323, 504/34 and 120B of the IPC.

In substance, the allegation is that the son of the informant was taken by the petitioner to Haryana in order to provide him a job. This happened three years ago. The son did not return. Informant, therefore, apprehends that his son was done to death.

Learned counsel for the petitioner submits that, in fact, the son of the informant had gone to Haryana with the petitioner five years ago. He was employed in a rice mill. Two years thereafter he left the job. The information was duly given to the informant as well as the father of the victim who also resides

in Delhi. Except the suspicion, there is nothing tangible material against the petitioner in the investigation.

Considering the fact and circumstances of the case, I am inclined to privilege the petitioner with anticipatory bail. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Rosera, Samastipur, in connection with Bibhutipur P.S. case no.234/2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel

the bail bonds of the petitioner
and secure his arrest in
accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

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