

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16590 of 2015

Arising Out of PS.Case No. -275 Year- 2014 Thana -THAKURGANJ District- KISANGANJ

=====

Mithun Singh @ Mithun Kumar Singh Son of Noren Singh resident of
village - Libia Bhita, Police Station - Thakurganj in the district of
Kishanganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate.

For the Opposite Party/s: Mr. M.Dayal (App)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 14-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Section 302/34 of the Indian Penal Code and that the petitioner's complicity, as alleged by the informant on account of old dispute, was only by way of suspicion, who has remained also without any specific allegation in course of investigation including in the noted para of the case diary by the court below while rejecting the prayer for anticipatory bail of the petitioner, this Court, keeping in view that the petitioner has got no criminal antecedent and till date nothing has been collected by the police to directly connected the petitioner, would find him entitled for grant of privilege of anticipatory bail.

That being so, if the petitioner, namely, Mithun Singh @ Mithun Kumar Singh surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the

satisfaction of the learned Judicial Magistrate, 1st Class, Kishanganj, in connection with Thakurganj P.S. Case No. 275 of 2014 (GR No. 1784 of 2014); subject to the following conditions:

(i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.

(iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

U			
---	--	--	--