

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17119 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Tinku Kumar Singh @ Tinku Kumar, son of Sri Raj Kishore Singh, resident
of villager Chandpur, P.S.-Chandi, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Atul Kumar Pandey

For the Opposite Party/s : Mr. Jagdhar Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 02-05-2016 Heard the Counsel for the petitioner and Mr. Dayal, APP for
the State.

Petitioner is the elder brother of deceased husband of the
informant. The offence is punishable under Section 379 and 420
IPC vide Chandi P.S. Case No 44 of 2016.

It is alleged that after the death of her husband, she had one
Bollero vehicle which was earlier in possession of the petitioner
but subsequently released in her favour. On the date of occurrence,
while she was traveling on the vehicle, it was stopped by the
petitioner who snatched the key and took possession of the
vehicle.

Contention of the petitioner is that the informant is facing
criminal accusations for having killed her husband lodged by the
father-in-law. Even according to the First Information Report, it

pertains to family dispute and possession of the articles of the family. It cannot be a case under section 379 IPC.

Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, Nalanda in Chandi P.S. Case No. 44 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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