

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.478 of 2016

Arising Out of PS.Case No. -287 Year- 2009 Thana -AURANGABAD TOWN District-
AURANGABAD

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Haribansh Narayan Singh Son of Tribhuwan Singh

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 07-04-2016

Heard.

The petitioner, who is languishing in custody since 13.01.2015, has renewed the prayer for bail in connection with a case registered for the offences punishable under sections 406,420,34 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act in view of liberty granted by a co-ordinate Bench of this Court in Criminal Miscellaneous No.21222/2015.

Though, the earlier prayer was rejected vide Criminal Miscellaneous No.21222/2015 by a co-ordinate Bench of this Court but since the concerned Bench is not available due to medical exigency, the matter has been listed before this Court in view of the administrative order of Hon'ble the Acting Chief Justice, dated 19.02.2016, kept at 'Flag-A'.



The petitioner was granted anticipatory bail vide Criminal Miscellaneous No.33172/2010 by a Co-ordinate Bench of this Court but the petitioner failed to furnish the bail bonds and subsequently he was arrested. The Co-ordinate Bench rejected the prayer for bail of the petitioner vide order dated 04.09.2015 passed in Criminal Miscellaneous No.21222/2015 with a liberty to renew the prayer after three months, which reads as follows :-

"The petitioner may renew his prayer after three months."

Prosecution case is that from one Bibhuti Insurance Private Limited, a non-banking financial company, the informant took insurance in the name of Rubi Kumari, Abhay Kumar @ Abhay Kumar Paswan and Prakash Kumar, but the bonds were not issued and when the informant went to get the same, he was being abused.

It is submitted by learned counsel for the petitioner that from the accusation it appears that the informant was himself an employee of the said financial company. Moreover, the affected persons have not come forward to lodge the complaint and the bonds have been issued to the respective persons. The petitioner was also an employee of the same company.

Considering the fact that the petitioner was granted anticipatory bail on merit, the co-accused has been granted bail vide Criminal Miscellaneous No.18386/2012, by a co-ordinate Bench of this Court and the liberty given by the co-ordinate Bench for renewing the prayer after three months while his earlier application was rejected, let the above named petitioner 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 learned CJM, Aurangabad, in connection with Aurangabad Town P.S. Case No.287/2009.

(Dinesh Kumar Singh, J)

Ashwini/-

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