

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5429 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -DANAPUR District- PATNA

1. Sunil Kumar @ Sunil Kumar Singh Son of Late Hans Lal Singh, H. No. RZG 664A Raj Nagar Part - 2 Palam New Delhi, Parmanant - Village - Bara P.O. - Baila Tarari, P.S. Nobatpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Opposite Party/s : Mr. T.N.Thakur(APP)

For the Informant : Mr. Arbind Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 14-03-2016 Heard learned counsel for the petitioner, learned counsel for the Informant and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Danapur P.S. Case No. 43 of 2015, disclosing offences under Sections 386,388,389,120B/34 of the Indian Penal Code.

A complaint case filed by the Informant is the basis for registration of First Informant Report after having been referred under Section 156(3) of the Code of Criminal Procedure. From the complaint petition it appears that the informant was made an accused in a case registered under Section 304B of the Indian Penal Code in connection with Mehrauli P.S. Case No. 345 of



2014. It is alleged against the petitioner that he had lodged a false case under Section 304B of the Indian Penal Code against the informant and demanded ransom from him. It is submitted on behalf of the petitioner that the police have submitted charge-sheet after completion of investigation in the said Mehrauli P.S. Case No. 345 of 2014 against the husband of the deceased. He further submits that the present criminal case has been instituted for mounting undue pressure upon the petitioner, in order to dissuade him from adducing evidence in connection with the said Mehrauli P.S. Case No. 345 of 2014.

Learned counsel for the informant has vehemently opposed the prayer and has submitted that a false case for offence punishable under Section 304B was instituted against the informant and the police have found the case to be false, which was lodged against the informant by the petitioner.

Considering the nature of accusation and the facts and circumstances of the case, this application is allowed. Let petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below 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 the learned A.C.J.M, Danapur, Patna, in connection with Danapur P.S. Case

No. 43 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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