

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17435 of 2016

Arising Out of PS.Case No. -175 Year- 2010 Thana -HISUA District- NAWADA

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1. SHUBHMURTI @ HAGU SINGH @ SHUBHMURTTI @ HAGGU
SINGH Son of Shailendra Singh, Resident of village- Basar, P.S.- Atari,
District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 11-05-2016 Heard the Counsel for the petitioner and the learned APP
for the State.

Co-accused Ashok Singh and Anil Singh are full brothers.
Co-accused Vikas Kumar is son of co-accused Ashok Singh. Anil
Singh and Ashok Singh are the maternal uncle of the petitioner.
All of them are named accused of Hisua P.S. Case No. 175 of
2010 registered under section 366(A)/34 of the Indian Penal Code.

It is alleged that in absence of the informant, the accused
persons came to his house and took his 15 years old daughter
along with him saying that she has to see the parents who have
met with accident. The F.I.R. was lodged 6-7 days thereafter. On
retrieval, the victim girl made statement before the Magistrate
(Annexure-2) in which she has not implicated the petitioner.

There is another reason for extending the privilege of bail.

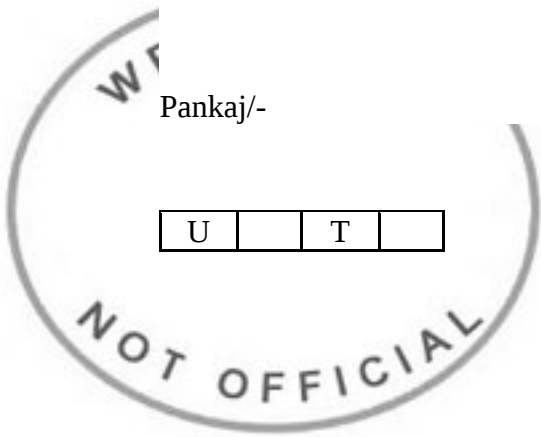
The police upon conclusion of investigation sent other accused persons for trial but the petitioner was not sent up. It is stated that subsequently, the Court differing with the report has taken cognizance and hence the apprehension. It is also contended that vide order (Annexure-4), co-accused Ashok Singh has been granted privilege of anticipatory bail. Petitioner has no criminal antecedent.

In the circumstances, 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 Sri N.K. Singh, Judicial Magistrate, 1st Class, Nawada in Hisua P.S. Case No. 175 of 2010 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.



Pankaj/-

(Kishore Kumar Mandal, J)