

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38322 of 2016

Arising Out of PS.Case No. -112 Year- 2016 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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Shrawan Kumar @ Shrawan Kumar Singh, S/o Rajbansh Singh, resident of
Village- Kaser, P.S.- Bhagwanpur, Dist- Kaimur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Nandan Sahay, Advocate
For the Opposite Party : Mr. Mr. Manoj Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-10-2016

Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner seeks bail in connection with
Bhagwanpur P.S Case No. 112 of 2016 registered for the offences
punishable under Sections 364, 365, 120B of the Indian Penal
Code.

Allegedly, petitioner is named in the F.I.R. with
allegation that due to land dispute, co-accused Sandesh Singh has
taken away the grand-mother and grand-father of the informant
with the aid and assistance of the petitioner and other F.I.R. named
accused persons.

Submission is of false implication and that besides
suspicion there is nothing against the petitioner, the name of the
petitioner has been implicated due to land dispute, during

investigation also nothing has come, no one has seen the petitioner in the company of those two victims and without any fault the petitioner is suffering in custody since 23.07.2016, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. submits that both the victims are still traceless and petitioner had got criminal antecedent.

In the facts and circumstances stated above, considering that there is no direct allegation against the petitioner and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhabhua, Kaimur, in connection with Bhagwanpur P.S. Case No. 112 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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