

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48264 of 2016

Arising Out of PS. Case No. -487 Year- 2014 Thana -ARA NAGAR District- BHOJPUR

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Karan Kahar Son of Dudun Kahar, resident of Muhalla- Meerganj, P.S.-
Ara Town, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Maya Shankar Mishra, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-01-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302/201/34 of the Indian Penal Code registered in connection with Ara Town P.S. Case No. 487 of 2014.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion. The accusation that accused no. 1 had taken the victim, brother of the informant, to the accused nos. 2 to 6 (including the petitioner), is also baseless inasmuch as the said accused nos. 2 to 6 do not live together and are not even members of the same family. Nothing incriminating has been recovered from the petitioner who claims clean antecedents.

4. Learned APP for the State opposes the anticipatory bail petition on the basis of the case diary.

5. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be



released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Town P.S. Case No. 487 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

B.T/Chandran

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