

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54376 of 2017

Arising Out of PS.Case No. -36 Year- 2014 Thana -SHAMBHUGANJ District- BANKA

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Tinku Singh @ Tinku Kumar @ Ankit Kumar Singh, son of Diwakar Singh
@ Bibhuti Diwakar, resident of village-Karshop, P.S.-Shambhuganj,
District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 10-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Shambhuganj**
P.S. Case No.36 of 2014 instituted for the offence under
Section(s) 366-A/34 Indian Penal Code.

Counsel for the petitioner has submitted that he has
been falsely implicated in this case. Victim girl in her statement
under Section 164 Cr. P. C. has not leveled any allegation of
overt act against this petitioner.

In the written report, the Informant has alleged that
this petitioner along with other accused has got his minor
daughter disappeared.

Statement of the victim girl recorded under Section
164 Cr. P. C. has been annexed as Annexure-2, wherein, she has
not levelled any allegation of specific overt act against this



petitioner. In fact, she has not taken the name of the petitioner in her statement.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Shambhuganj P.S. Case No.36 of 2014**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Banka**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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