

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36930 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -BARAHIYA District- LAKHISARAI

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1. LALO SINGH @ LALU SINGH @ LALO@ LALU @SHUSHIL
KUMAR Son of Ramnandan Singh Resident of Village- Abgil, P.O.-
Korma, District- Shekhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Barahiya P.S. Case No.
30 of 2017 instituted for the offence under Sections-364, 302, 201/34 of
the Indian Penal Code.

It has been submitted that the petitioner is not named in the
written report. His name has come during investigation, in
confessional statement of the co-accused. In the written report, it is
alleged that the husband of the informant was taken by Sri Nivas Singh
on the pretext to bring his daughter Bharati Kumari from her Nanihal.
Thereafter, when her husband did not return, she tried to make contact
on his mobile but the mobile phone was found switched off. The
informant raised suspicion that her husband has been kidnapped by Sri
Nivas Singh, Bharti Kumari and Karuna Devi with ill intention.

In this manner, there is no allegation of specific overt act



against this petitioner. In paragraph-3 of the petition, it has been mentioned that the petitioner has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Barahiya P.S. Case No. 30 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai subject to condition as laid down u/S 438(2) of the 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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