

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5567 of 2018

Arising Out of PS.Case No. -490 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Vyas Singh Son of Gorakh Singh Resident of Village-Mubarkpur, P.S.-
Mohania, District-Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 01-02-2018 Learned counsel for the petitioner is permitted to

correct the typographical mistake which has occurred in paragraph

No. 18 in view of date of custody has been wrongly recorded as

28.09.2017 instead of 12.09.2017.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner has been in custody since 12.09.2017

in connection with Mohania P.S. Case No. 490/2017 registered for

the offences punishable under Sections 302/34/307/326 of the

Indian Penal Code and Section 27 of the Arms Act. Subsequently,

Section 120(B) of the Indian Penal Code was added.

Learned counsel for the petitioner submits that

though the petitioner is not named in the First Information Report

and there is no connection between the two families, the



petitioner's name has surfaced because it was found that the main accused Dimple Singh had been communicating with the present petitioner. It is only on such allegations that the petitioner has been taken into custody and is languishing in jail.

Having considered the entire facts and circumstances and that the informant has not taken the name of the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Mohania P.S. Case No. 490/2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

The petitioner shall co-operate with the investigation,



if not already concluded, 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.

(Anjana Mishra, J)

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